

# DEMOCRACY UP-TO-DATE



# DEMOCRACY UP-TO-DATE

*Some Practical Suggestions  
for the Reorganization of the  
Political and Parliamentary  
System*

**COMPUTERISED**

BY

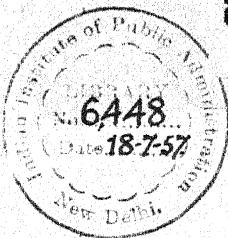
SIR STAFFORD  
CRIPPS

P.C., K.C., M.P.

IIPA LIBRARY



6448



LONDON

GEORGE ALLEN & UNWIN LTD



## FOREWORD TO THE SECOND EDITION (1944)

Now that preparations are being made by various Government Departments and other official bodies to deal with some of the main economic and social problems which will confront this country at the end of the war, questions are beginning to be asked concerning the efficiency of our existing Parliamentary machinery and its speed of operation. Is there any hope of economic and social progress if the pace of necessary legislative action is limited by our traditional parliamentary procedure? How can we ensure that the complicated legislation which we must envisage—starting with the Education Bill now under discussion, and going on to measures dealing with a national health service, social security, town and country planning, location of industry and “full employment”—will receive that close parliamentary scrutiny which our democratic principles imply, without frustrating our intentions by playing into the hands of pedants and obstructionists?

Even before the war I was convinced that unless we remodelled our traditional democratic institutions in accord with modern needs, it would not be possible to avoid a major political breakdown. It was with this consideration in mind that I set down in this short book a number of practical suggestions for reforming our democratic machinery. Shortly after the book was published, war broke out and, although Parliament has continued to play an invaluable part in the

affairs of the nation during the war, much of the normal procedure of parliamentary democracy has been suspended, and the power of the executive arm of our system of government has been greatly strengthened. When peace is established the dangers which I envisaged in 1939 will again become acute, and it is my belief that a thoroughgoing renovation of our democratic institutions will be necessary if our high hopes of social reconstruction are not to be frustrated.

Owing to the passage of time and the many new developments which have taken place during the war, there is a great deal in this book which bears the marks of having been written in the early part of 1939. Had I the time and freedom, I should have liked to have re-written it in the light of my war-time experience and my hopes for the future. As it is, I have agreed that it should be reprinted substantially as it was written with only a few minor changes where misunderstandings might otherwise have arisen. It is gratifying that the concern which is now being felt about the vitality and efficiency of our parliamentary institutions should have led to a demand for a second edition.

*March, 1944.*

## FOREWORD TO THE FIRST EDITION

THE purpose of this short study is to deal with one aspect of the difficulties with which our democracy is to-day faced. It is an aspect of great importance and one which tends to be overlooked.

I do not suggest that the reforms which I propose in the pages that follow would solve completely our problems, or would make it certain that we can retain our democratic liberties. It is however, I am convinced, true that unless we reform our methods we shall find ourselves quite unable to preserve those elements of democratic freedom that have been won by the most heroic struggles in the past and equally incapable of advancing to that fuller share of economic liberty which alone can form the basis for a permanently free and peaceful society.

I have not attempted to write any elaborate or technical treatise on Parliamentary reform but rather to sketch broadly in popular language the lines upon which that reform should be carried through.

My hope is that many who are not yet acquainted with the details of our Governmental machinery and who have neither the time nor the desire to study long books upon the subject may read this small volume and so be made to realise how great is the importance of the subject matter with which it treats.

We are always apt to think that such matters as those dealt with in these pages are more properly within the province of technicians and that therefore it is

unnecessary for us to trouble ourselves either to understand them or to deal with them.

Certainly the details of any reform of procedure must be worked out in detail by those who have specialised knowledge and experience, but the common people who form the great bulk of our democracy are responsible for giving general directions to the technicians and they cannot discharge that duty unless they have some understanding both of the problems that exist and of the possibilities for their solution.

I have, therefore, tried to avoid all unnecessary elaboration and detail, concentrating upon the more important features of the problem so as to present a rough and, I hope, sufficiently accurate sketch.

I am fully aware that there are many aspects of the matter which present themselves which I have not dealt with at all. These have been purposely omitted for the sake of simplification.

If fully elaborated, the subject would occupy more than one large volume, but so to elaborate it would be to defeat my purpose.

It is, however, necessary to stress one point in particular. This revision of our democratic machinery cannot alone solve our difficulties.

Besides a good design for the machinery, an engine, to develop power efficiently, must have not only some fuel but a good and suitable fuel. The fuel of democracy consists of the political will and consciousness of the common people. Unless they are determined to use their opportunities and know how and when they can be used to their advantage, the finest machinery that could be devised must remain comparatively powerless.

Democracy depends for its efficient working upon the readiness of every voter in the country to take an intelligent interest in matters political, and to participate fully in elections both national and local.

The ignorance and inferiority complex which to-day render ineffective so large a section of our democracy must be dispelled.

The common people must be stirred to a consciousness of their responsibilities and opportunities.

They must be made to realise that democracy can no longer function merely as the implement by which a ruling class cajoles the people to consent to legislation and control of administration in the interests of that class.

All must share equally in the obligations and benefits of the democratic system if it is to be anything but a veiled and camouflaged form of dictatorship.

There has already been a long period of political education during which the consciousness of the working class has rapidly developed. The time has now arrived for that political sense which has been created by prolonged propaganda to be crystallised into political action.

It will only be when the mass of the electors show themselves prepared to take action in their own interests and in the cause of national freedom and international peace, that we shall be able to reap the advantage of an efficiently designed democratic machine.

In preparation for that time, which I believe is not far hence, it is not only wise but necessary that we should consider the reform of our democratic machinery, which, even with the present very

imperfect development of the will to govern amongst the mass of the electors, would, I believe, be of great service to the community.

My own short experience of Parliament has convinced me that without some such changes as are here mooted we shall move rapidly towards a breakdown of Parliamentary control, which may remain for a time in form but which will in substance be taken from us.

I would therefore ask all those who read these pages to give their gravest consideration to the matters dealt with and to make their contribution in whatever way they consider most useful to the formulation and achievement of a successful and efficient form of democracy in Great Britain which will show itself the superior of every kind of totalitarian government, not as a super fighting machine, but as a means of bringing peace, health and plenty to the common peoples of our own country and of the world.

*PART ONE*  
THE PROBLEM



## *PART ONE*

### THE PROBLEM

#### DEMOCRACY IN DECLINE.

RECENT events in the world have shewn very conclusively the dangers to democracy and liberty which arise from the attempt to preserve out-of-date forms and ideas.

There is only a small handful of countries left in the world where the old-fashioned liberal democracy which was regarded as the pattern for progressives in the nineteenth century is still in fact functioning.

French democracy has been forced to accept a virtual dictatorship by acquiescing in its own suspension. British democracy is rapidly approaching the same condition as is apparent from the apathy of the electorate, the lack of interest in the House of Commons and its proceedings and the inability of public opinion to influence the Prime Minister.

It is not necessary to review the very similar symptoms of demoralisation of democratic government which have made themselves apparent all over the world, in some places to a greater and in others to a less degree.

The fact must be admitted. The great danger to-day is that the people refuse to face up to this state of affairs, nor will they attempt to analyse the reasons for the breakdown so as to draw lessons from it for their future political conduct.

Wherein lies the source of this feebleness which has overtaken democracy?

In earlier days the medical profession were content to describe many fatal ailments under the convenient phrase "a decline" and thereby excuse themselves from any effective action.

There are a great many people in the political world who treat the decline of democracy in precisely the same fatal way.

It is certain that there has been no sudden deterioration of the peoples nor have they lost their desire for liberty.

#### CAUSES OF THE BREAKDOWN.

The reasons are no doubt manifold. As always in cases where we are attempting to ascertain the causes for complex world situations there is a grave danger that we shall over-simplify the situation. We are all of us tempted to regard our particular nostrum as the sole cure for the world's diseases!

There are, however, in the present case certain deep-seated causes which would seem to be fairly evident if we look for them, and as to which there can be very little real dispute.

First, is the impact that has been made upon forms of government by the unco-ordinated and unplanned expansion of the productive and distributive processes of our civilisation.

The tempo of development on the economic side, accompanied, as it has been, and must be, by a growing demand for attention to every kind of social problem, has placed an impossible strain upon the machinery of our democracy.

The importance of the mechanical side of democracy is almost always overlooked. We must realise that democracy has to function practically through a number of imperfect human beings brought together in committees, councils or parliaments. These men and women become incapable of carrying out their democratic functions unless there is devised some form of procedure which enables them to exercise their power at the right time and in the right way.

Our present forms of government were developed and reached their zenith during the period when the *laissez faire* doctrine of liberalism was supreme. At that time any interference by the state in the economic interests of the individual citizens was regarded as a sin against capitalist liberty.

Free competition both in the field of capital and labour was the ideal to be aimed at, and free import and export trade was regarded as the highroad to prosperity.

Under such circumstances it is natural that in an essentially conservative country like ours, the machine of government should have evolved with the most complete system of braking, while far less attention was paid to improving the engine, so that, even at the best of times, it could do little more than move forward the vehicle of state at the speed of a snail.

There have, of course, been some developments in the mechanism during this century, enough to prevent so far a complete breakdown, but nothing like enough to produce the speed or flexibility necessary to negotiate the crowded traffic of modern economic problems or to compete successfully with our totalitarian rivals.

## THE GROWTH OF STATE CONTROL.

Such improvements as there have been have mainly concerned themselves with the prevention of futile obstruction such as was experienced in Parliament during the days of the Irish Party or of the Finance Bills of the Lloyd George regime, or else have been designed to increase the area and scope of delegated legislation by Ministers.

These devices are the veriest patchwork and introduce in their present form grave dangers to the continuance of democratic government.

The days of *laissez faire* are now definitely past and it has now become almost universally accepted that the State must attempt to plan in some degree both nationally and internationally its own economic life and that of its citizens.

By whatever "ism" we may designate the method of planning adopted, every "ism" to-day accepts or insists upon a degree of co-ordination of productive and distributive processes under state direction.

Capitalism pleads for State help and regulation to save private enterprise ; Liberalism regretfully admits the necessity and moves uneasily towards State controlled services and industries ; Socialism and Communism demand the thorough-going planning of the entire economic activity of the country under some form of State control.

This need for planning trade and industry has created an entirely new demand upon democracy and a new technique or form must be developed if what we understand by democracy is to survive, not merely in name but in substance.

We thus have the problem of adjusting our practical application of democracy and liberty to a completely new set of circumstances, which admittedly demand the effective Governmental control of hitherto unplanned economic forces.

#### DEMOCRACY DEFINED.

Before proceeding further to deal with other factors which have influenced the deterioration of our democracy, it is necessary to state clearly what we mean by the term "democracy", for to-day so many people mistake the shadow of sentiment for the real substance of everyday experience. The forms in which we experience democracy may be relatively unimportant provided they do not prevent the true principles from being operative. They are, however, of the most tragic importance when, as to-day, by their rigidity and conservatism they destroy the very principles they are supposed to embody.

By democracy we mean a system of government in which every adult citizen is equally free to express his views and desires upon all subjects in whatever way he wishes and to influence the majority of his fellow citizens to decide according to those views and to implement those desires.

To this there is a necessary corollary, that he must not use his own freedom of thought, speech or action so as to deprive others of a like freedom.

If such democracy could in fact exist fully in any country, the nearest possible approach would have been achieved to a government of the people by the people for the people.

The degree of perfection with which this free

organisation of society can be attained must depend upon the possibility of devising forms of government which, while incorporating the principle, yet remain practical methods for dealing with the day to day necessities of the highly complex activities of a modern state.

The second reason for the apparent failure of democracy is because, by clinging to old and outworn forms, it has succeeded in so hampering its own effectiveness as to create the impression that "democracy cannot work in critical times". The tendency is then to abandon the principle since the people have become so accustomed to identify that principle with a particular form, that they mistake the breakdown of the form for the failure of the principle.

Having been driven by circumstances, as they believe, to desert the principle of democracy, they seek for a new form of government without caring as to what principle it embodies, so long as it promises some immediate relief to their economic difficulties.

#### DANGER OF A TOTALITARIAN ALTERNATIVE.

Hence the tendency to embrace every kind of totalitarianism, regardless of the consequences to the human beings it controls, who indeed become nothing better than mechanical units in a vast machine built to serve the god of economic efficiency.

This tendency brings in its turn a third result. Those who have the sentiment to maintain some organised form of society which may permit an element of freedom to the individual, find themselves faced

with the competitive efficiency of their totalitarian rivals. They then either give up all hope of preserving individual liberty and adopt totalitarian methods of control to defend themselves from their rivals, or else by clinging to outworn democratic forms they find themselves no match for their highly organised neighbours and are thus gradually compelled to yield position after position to the domination of the most autocratic dictatorships.

That is to-day the situation of those western European countries which still survive as democracies in name.

They are being steadily driven away from the liberal democratic forms of the last century towards more and more totalitarian conceptions.

The fact that they insist upon casting back their eyes with longing to those old forms of democracy is rendering them weak and feeble in their actions and no match for their competitors who are dragooned into economic efficiency by dictatorial methods.

The treatment meted out to Jews, Protestants, Catholics, and all free and liberal thinkers in Germany is no mere coincidence, it is a harsh necessity which comes from the need to create an economic system that will work based on the capitalist system which had collapsed.

#### CAN TRUE DEMOCRACY BE REVIVED ?

The most vital question to-day is whether by any means we can achieve the survival of the true principle of democracy.

That has in fact been the real political issue ever since the last war, but it is only in the last few years

that we have been faced so starkly with the direct alternatives of democracy or fascism.

We must be quite clear in our minds as to what we regard as the most important and over-riding principle that we desire to see embodied in our form of government. In the last resort all other principles or expediencies will be made to yield to that one conception which we regard as most fundamental.

I have assumed that so far as the great majority of the people are concerned they will desire at all cost to maintain their democracy and their freedom, but this does not necessarily apply to a large number of those who would be deeply offended by any suggestion that they were not the truest democrats.

There are, for instance, those who consider that the maintenance of an economic system which depends for its continuance upon the motive of private profit, is even more vital than the preservation of liberty. Such a system will provide a very large—indeed a too large—degree of liberty for the profit-earners, and such people will often overlook the effect that such a system has upon the mass of the working class. Because they take the view that a true democracy would in all probability abandon such an economic system in favour of one based upon the principle of production for use rather than for profit, such persons may be prepared in the last resort to sacrifice democracy and freedom to the continuance of capitalism, with all the advantages that it can bring to them as individuals.

Others may regard national safety as the supreme necessity and thus be prepared to sacrifice everything—even democracy—to the need for that safety.

If we are clear in our own minds that the preserva-

tion of liberty and democracy is to be the central feature of all our political efforts, then in times of difficulty and crisis we must be prepared to sacrifice every other idea and principle to this cardinal point in the political structure of our society. Provided that democracy can be effectively preserved we must be willing to leave it to the free and untrammelled action of that democracy to determine its own future, however much we may fear the stupidity or unwisdom of its decisions, and however great the personal losses or inconveniences we may anticipate as the result of its actions.

#### EFFICIENCY A PRE-REQUISITE TO SURVIVAL.

To achieve the aims of democracy we must make it efficient for our purpose. To that end it is urgently necessary for us to reconsider and reform the machinery of government in a way that will enable us to preserve democratic liberty within the environment of modern economic circumstances.

I have already broadly defined what I understand by democracy, but the question of liberty and freedom requires further consideration before we can decide upon the desirable form of governmental machinery.

#### ECONOMIC LIBERTY.

When individuals come together into societies or nations they must of necessity sacrifice some measure of their individual independence in exchange for the great advantages which they derive from their membership in such a society.

The more complex and the more highly developed and organised that society becomes the more necessary

is it for the individual to conform to rules and regulations for his conduct. What can be done conveniently by an individual in the forests of Central America is not necessarily permissible at mid-day in Piccadilly Circus !

There is an old principle of Roman Law which is to-day part of the Common Law of England, which is expressed in these words, "*Sic utere tuo ut alienum non laedas*"—so use your own things as not to bring hurt to others. When there are many others and all have many activities and possessions, such a truly liberal principle means a considerable restraint upon the individual which must for the protection of others be enforceable by law, if the need arises.

The laws of "nuisance", of libel, slander, and of negligence illustrate the degree to which in social life restraints have had to be put upon individual conduct in order to protect the people as a whole from the irresponsible or dangerous acts of such individuals.

But all such matters concern the personal conduct of citizens rather than their economic life. It is when we come to the question of economic liberty that the problem becomes more involved in definition and more difficult of solution.

It has now been long recognised that to leave an individual unprotected against the force of competition in a capitalist state is no longer possible, whether that individual be a master or a worker.

Employers and employed alike have been compelled by force of economic circumstances first to impose voluntary restrictions upon themselves for their protection, and more lately the State has found itself

called upon to acknowledge and encourage such restrictions of individual action for the greater good of the larger number.

#### EMPLOYERS' COMBINATIONS AND SAFEGUARDS.

Upon the employers' side the concentration of industry and the sharing of risks has progressively increased throughout the whole area of productive and distributive enterprise. The principle of limited liability companies, in which individual capitalists join together as shareholders to create a stronger competitive power than each individual could alone exercise, was one of the early conscious state-aided steps during the industrial era in this direction. Since then, through a great multiplication of such companies and their amalgamation by trustification and other means, an ever growing concentration of trade and industry has proceeded, leading, within capitalism, towards the so-called public utility corporations and marketing boards which are protected by law and encouraged by the State in their monopolies.

To-day matters have gone even further. Particularly in the older industries the government has been compelled to come to their assistance either by finance or subsidy to the employers or else by enforcing a reorganisation of the industry upon a semi-corporative basis. Under these latter schemes power is given by the state to the producers to compel the individual units to conform to the will of the majority and to impose the decisions of that majority either directly or indirectly upon the consumers and upon the workers.

Some such development has taken place in practically every country in the world where capitalism persists.

Faced with the problems raised by intensive industrialisation there was no other course left open to governments determined to maintain the capitalist structure of their society.

In every case the State has been obliged, often most unwillingly in theory, to come to the assistance of competitive capitalism by regulating or putting an end to internal competition, so that the concentrated competitive power of national industries might be increased internationally.

While thus within the various nations attempts have been made to control the evils of unlimited competition, so as to lead to a greater competitive power internationally, it has not yet been so generally accepted that the evils of competition are as great or even greater in the international field than in the national, and that therefore it is essential, if we are to avoid the consequences of that competition, the worst of which is war, that we should take steps internationally to control competition as we have been forced to do nationally.

Such examples as the coal, cotton and shipping industries in our own country well illustrate this development of national control.

The coal industry for instance is now regulated by an elaborate legal code. The State has found it necessary to purchase the whole of the ownership of the minerals of the country, because the divided ownership in individual hands was leading to so much complication, waste and disorganisation.

#### CAPITALIST CONTROLS.

The actual companies and individuals who work

the mines have likewise been compelled to combine under the provisions of elaborate schemes which regulate the amount of coal each may raise, the manner in which it may be disposed of and the price to be charged for each quality. Sales agencies for the different coalfields have been compulsorily set up to get rid of the wastage and competition caused by a number of different selling agencies duplicating and undercutting one another.

These measures of compulsion have been acknowledged by all classes of the community as necessary for the greater benefit of the people as a whole. One of their avowed objects was to give a greater degree of freedom to the workers in the industry, through secure wages and better conditions of employment. That the measures have so far almost completely failed in this result is beside the point for the present purpose. It merely points to the ineffectiveness of the precise methods of control adopted and not to the lack of need for some measure of planned organisation in the industry.

On the other hand these restrictions have given a very much greater degree of profit to the coalowners, thereby increasing the security of all those whose money is invested in coal mines.

The consumers have, of course, been compelled to provide this increase of profits through raised prices which must to some extent restrict their ability to use coal as they wish.

The differential reaction of these restrictive provisions upon the three classes of persons primarily interested in the coal industry, the coalowners, the workers and the consumers, illustrates how difficult

it is when once the State is forced to interfere to balance justly the interests of the varying classes concerned.

Where the control of the industry is placed, as in the instance taken, in the hands of the producers it is inevitable that that class will come off best, and almost certainly at the expense of all other classes.

Another type of legislation which has had to be introduced affecting this industry is that dealing with safety measures in coal mines and with the hours of work of the miners underground.

These laws restrict the rights of employers and workers in the sense that no person can employ a miner, and no miner is permitted to work, in a mine that is unsafe according to the law or for hours longer than those legally permissible.

Such regulations of working conditions have been found necessary in order to protect the lives and health of the workers in the stress of modern industrial competition ; such protection, though it limits the right of individual action, in fact increases the liberty of the mass of the workers, because it does provide them a greater degree of safety and it prevents them from being forced to work for unconscionably long hours, thereby permitting them to enjoy at least some periods of freedom from work, besides their mere sleeping time.

#### WORKERS' COMBINATIONS AND SAFEGUARDS.

On the employees' side the historical development of restraints has been of rather a different nature from that amongst the employers though aiming essentially in the same direction.

The difference arises from the fact that the employers

were always in control of the government of the country and were in a strong economic position compared to their workers who had no reserves of economic strength to fall back upon and so were powerless as individuals in an over-stocked labour market to exert their bargaining power.

Over a century ago the workers realised the need for combination—not to lose but to preserve their freedom. Trade unionism was their voluntary response to the high power pressure of competition in the Labour market, which at the beginning of the machine age, drove them right down below the poverty level.

At first such organisation of the workers was declared illegal, upon the spurious basis that any combination to raise the standards was contrary to the idea of the right of free contract and to the great common law principle which held that any restraint of trade was contrary to the public good. The State was later compelled by the workers to accept their right to combine to protect their wage levels and their working conditions. Gradually the whole people has come to acknowledge the need for such combination and so Trade Unions have been legalised and become part of the accepted machinery of capitalism. In some cases where no industrial organisation has been set up by the workers, such bodies as Trade Boards have been instituted by law to give them some modicum of protection and of economic justice. To-day every enlightened employer and worker regards the Trade Union as an essential element for the orderly fixation of working conditions and rates of pay.

Unemployment benefits, National Health Insurance,

compulsory education and a great number of other social services have been created by law, some of them depending for their financial basis upon compulsory contributions paid by the workers and employers.

Numerous laws have also been put upon the statute book dealing with protection of men, women and children in factories, workshops and mines, laying down minimum conditions of safety, hours and cleanliness which must be observed by employers and employed alike. All this legislation is the outcome of a more intelligent and enlightened public opinion which has revolted against the harshness, danger and insanitary conditions which raw and uncontrolled competition inflicted upon a legally undefended working class.

#### ECONOMIC LIBERTY FOR THE PEOPLE IMPLIES STATE INTERFERENCE.

The whole development of interference by the State with the free actions of the individual citizen has now become an acknowledged necessity, if any degree of economic justice for the common people is to prevail. In the result a very large part of the time of Parliament must be occupied with detailed legislation of this type.

It has to-day become axiomatic, in every highly industrialised society like our own, that a great many of those services which are now regarded as essential for the individual must be provided by State organisation of one sort or another. There is no civilised nation, whatever its form of government, that does not now, in principle, accept the necessity for the provision of such services for the less fortunate and

well-to-do of its people. All such measures are in a sense restrictions of individual freedom of action (the freedom to starve or perish of disease !), but in fact they represent the typical outcome of liberalism with its desire to create a degree of " liberty to live " for the common people.

We must therefore accept that to-day it is no longer possible to achieve true liberty for the mass of the people except by a very large measure of interference by law with the free action of all classes of individual members of our society.

#### HUMANITARIAN CORRECTIONS TO ECONOMIC UNBALANCE OF SOCIETY.

The unbalance which is necessarily produced in a free competitive system, where some will succeed while others must fail, has to be corrected to the standard of humanitarian conduct which society as a whole demands. In the more primitive stages of civilisation this unbalance may be tolerated because its effects are not too obvious or too brutal. But as the fierceness and scale of competitive industrialism has increased the economic results of uncontrolled competition have become so demonstrably unjust and inhuman that the social conscience has compelled State interference to ameliorate the worst incidents of that competition.

Gradually the standards of humanitarian behaviour that are demanded by the public have been raised, so that more and more correction has become necessary. As the degree of correction has increased so the effect of that correction upon the economic life of the country has been increasingly felt. This latter effect has then itself demanded further measures by the State

c

6448

Indian Institute of Public Administration  
Library, 6, Bbagwandas Road, New Delhi

18.7.1957

to control the results brought about by the humanitarian corrections imposed. The State thus finds itself increasingly involved in controlling that part of the life of its citizens with which, theoretically, according to the strict logic of competitive capitalism, it is not concerned.

It is the increase of population and the diversity of functions introduced by the machine age and the technique of mass production that has so emphasised the problem of the economic liberty of the individual.

A bad driver proceeding madly across the Sahara may be a matter of no concern to anyone but himself, but to permit a road-hog to drive down the wrong side of the Strand would be to deprive all the other occupants of that street of their liberty. Such action must be restrained in the interests of the greater liberty of the greater number.

In precisely the same way in economic matters there are plenty of "road-hogs" who drive rough-shod over the rights of others simply to increase their own personal wealth, or to advantage themselves over and above their weaker or less aggressive neighbours. Such people must be restrained if the common people are to enjoy their liberties.

#### RESULTANT NEED FOR PARLIAMENTARY ACTION.

Once, however, we acknowledge interference by the State as a necessity, Parliament finds itself involved in a whole new field of the most complex activities, with demands being made upon it for regulation or help from all sections and classes of the people.

A law that improves the position of some will act adversely upon the position of others, and then

those others, in their turn, will claim consideration.

The provisions already summarised for improving the coal trade are typical in this respect. The schemes are designed to restrict production and so to increase coal prices for the benefit of the coal owners and, indirectly, to some extent, it is argued, of the coal miners. This must necessarily affect the coal users and such great industries as transport, cotton and shipping, which are large users of coal not unnaturally demand in their turn some measure of organised assistance from the State.

It is clear that once the State interfered with the individual conduct of trade or industry, even from the point of view of humanitarian interests, it is progressively compelled to take a larger and larger share in the regulation of the whole industrial life of the country.

When first the State, a century ago, was forced by public opinion to decide that the cruelties of child labour must be regulated in the cotton mills and the coal mines, it took a step which made inevitable the far wider controls that are to-day imposed throughout our industries.

Nor have we yet reached the end of this process of control. All the controls so far imposed upon individualist industry, both by the State and by the individuals themselves have not yet solved the problem of how to plan the production of the goods which are required for use by the mass of the people. Indeed such controls, though essential, as has been shown, to the continuance of our capitalist industries, often create as many difficulties as they cure. Their repercussion, in the complex of modern industrialism, may travel

far and affect many other services or productive processes in a wholly unexpected manner.

The relationship, for instance, between industry and agriculture in a country such as our own is immensely difficult to regulate and yet becomes chaotic if left unregulated. A purely agricultural policy applied irrespective of industrial interests may have the most adverse effect upon the export trades, whereas tariffs or restriction schemes applied with a view to creating a greater competitive strength in the export markets may be most harmful to agricultural development and stability.

#### ADMITTED NEED FOR PLANNING.

The truth is that it has now become necessary for the State to do more than merely control the worst vices of the competitive system and assist it at the various points where breakdowns become imminent. This it has already attempted to do, largely in order to preserve our export trade and so the imports of food and raw materials that are essential to the continued maintenance of our swollen population. Something much wider and more fundamental in the way of planning services and production is now required, if we are to solve the most pressing problems of unemployment and poverty.

This need for planning our industrial life as distinct from mere corrective controls has become apparent and has been widely recognised in recent years. Parliament has already attempted to deal with many instances by legislation.

The most outstanding example, which has persisted for centuries already, is that in connection with what

are termed our defence services. In this range of productive enterprise the State has always taken a large measure of control especially in times of acute national danger, and has indulged in a very considerable measure of state planning. The task is rendered easier in the armaments industry because the Government is nowadays almost the sole purchaser of defence requirements, and can therefore, through its position as purchaser, exercise a very great measure of control without the need for legislation. But even so, it becomes necessary, directly the need arises for a very rapid expansion in production, caused by a war danger or by actual war, to deal with the matter by legislation. During the last war this country was saved, at a very critical period, by the setting up of a Ministry of Munitions which, by controlling and planning armament supplies, was able to bring order and efficiency into the chaos of private production which had so nearly landed us in irreparable disaster.

Already the prospect of another war has led to the setting up of a new Ministry of Supply which will, in time of war, have to repeat the control and planning carried out by the Ministry of Munitions.\* It is important to note that in this, the most vital and essential service for the community, where the entire safety of the country depends upon the maximum of productivity and efficiency being attained, practically everyone now accepts the need for State planning and control, though there may be some difference of

---

\* During the present war the extension of public control over the economic life of the nations has far exceeded that of the last war. The achievements of the Ministries of Supply, Aircraft Production, Food, etc. have demonstrated the value of State control beyond all question.

opinion as to the precise limits which should be imposed.

When the people as a whole become as much concerned with their own standards of life, liberty and comfort, and with their protection from the domestic enemies of poverty, insecurity and unemployment, as they are for their own safety from foreign enemies, they will insist upon at least as great a measure of planned organisation and control in the ordinary industrial life of their country as they now do in their armament industry in times of national emergency.

Some may perhaps consider the example of munitions supply as exceptional and as not, therefore, truly demonstrating the need or tendency for the planning of industry in our ordinary everyday life.

That need has, however, already been widely acknowledged in other spheres by governments of every political complexion.

The Port of London Authority was set up to clear away the chaos of competitive docks in the biggest port of our country; the Central Electricity Board was regarded as essential to plan the electricity supplies of the whole nation, the London Passenger Transport Board enables the entire transport services of the greatest city in the world to be co-ordinated and made efficient, and most recently the Air Navigation Act has brought the whole of our overseas flying services under a single public corporation. These publicly controlled institutions are all examples of the acknowledged need for planning and of how the State—even under most conservative governments—has been forced to meet that demand.

In addition to these specific instances—which are

but examples of a general trend—of interference by the central government, wide powers have been given to municipalities all over the country to organise and run their own municipal services often in substitution for pre-existing private enterprise bodies. In many cases there was no other way by which a planned monopoly could be administered in such areas.

#### LIBERTY RESULTS FROM PLANNING.

The net result of this participation by the State in the planning of sections of the economic life of the country has been to increase the liberty of the ordinary citizen.

For instance, the ordinary man or woman can now travel more freely about London because of the co-ordination of its transport services, and can more easily get access to electric light because of the centralisation of the generation of electric power through the grid system.

Although it is accurate to say that the liberty of the shareholders in the bus companies or in the electricity undertakings has been curtailed, yet that curtailment of the liberty of the few has led to the increase of liberty of the mass of the people.

Liberty consists not only in permission to do what the individual wishes, but in the ability of the individual to take advantage of that permission.

An eminent English judge once made the cynical remark that justice, like the Ritz Hotel, was equally open to all. That was true, provided that the person who wished to use it had the money available to pay the price for that user.

It is of little use telling an unemployed man that

he may go to the cinema if he has not the wherewithal to buy a ticket.

One of the essential elements of liberty, in a world where practically everything costs money—even to sit in Hyde Park costs twopence!—is that the people should have a minimum of money with which to buy the most elementary necessities of life and something over to indulge their liberty, even if it be only enough to purchase a new suit of clothes or a daily paper and some secondhand books! And yet there are hundreds of thousands of people who are not in that fortunate position in Great Britain to-day. To suggest that such people have liberty is a misuse of the term liberty.

#### UNEMPLOYMENT A STATE RESPONSIBILITY.

This consideration introduces a new factor of complexity for, since the State has taken the responsibility of controlling and to some extent planning the industrial life of the country, it must also accept responsibility for seeing that no single citizen is allowed to fall below the poverty level. Economic liberty must not become the monopoly of the better-to-do, leaving the poor and unemployed only the liberty to suffer and to starve.

The interferences and controls which have already been catalogued, as examples, will demonstrate that the State is bound to inflict unemployment upon a number of individuals in the community. Every scheme which has for its purpose the co-ordination, or rationalisation of industry or the limitation of output, must automatically decrease the numbers employed in a given task, even though it may result

in better conditions for those remaining employed.

It is, however, no comfort to the man and his family who are thus deprived of an opportunity of earning a living that others more fortunate than they may, as a result, get a better living.

The State, by its interference, has participated in bringing about a degree of unemployment and as a result must accept the responsibility for its acts and do something to deal with the problem so created for the individual.

Quite apart from this special responsibility for unemployment resulting from State interference, it is now generally accepted that neither an individual employer nor a group of employers in a particular industry can be made solely responsible for the unemployment that arises in that industry. It is agreed that such unemployment must be accepted as the liability of the whole community.

This responsibility has been recognised to a limited but growing extent by Parliament.

It was as long ago as the reign of Queen Elizabeth that the poor law first came into being. The duty was placed upon the overseers of the parish to see that no inhabitant of the parish died from starvation.

There then elapsed a long period of years during which unemployed persons were looked upon as criminals to be punished by harsh treatment and intolerable conditions. It is indeed only in quite recent times, during the present century, that it has become generally recognised that the unemployed are not guilty of any crime but are the victims of misfortune and the mismanagement of others. The recognition of this fact has brought about the enactment

of a whole series of laws designed to provide a weekly payment—which can hardly be called “a living”—to keep the unemployed and their families from the poor law or starvation. In part this provision is made upon the principle of insurance, the premiums being paid by employers and employed, but the State also makes its contribution to this fund of one third as a quite insufficient acknowledgment of its share of responsibility. The remainder of the unemployed who have exhausted their benefit under the insurance scheme are wholly supported by the State through the Unemployment Assistance Board. The expenses of the maintenance of the poor remain largely a charge upon the local rates, a quite unjustifiable, though historically understandable, differentiation.\*

The other aspect of this responsibility of the State is that concerned with re-employment and the exchange of labour. For this purpose an elaborate system of unemployment bureaux has been set up by the State with the object of accelerating the process of exchange of labour and minimising the periods of unemployment for the workers.

All these provisions give further instances of interference with the freedom of action of the individual. Employers and employed are compelled by law to make their contributions, the unemployed are bound to register and so forth, yet it is certain that, however inadequate the provisions may be, the whole system of unemployment insurance and payments does, on the whole increase, rather than

---

\* Since 1940 the duty of providing for the needs of old age pensioners, war victims and the unemployed has been transferred to the Assistance Board, thus diminishing the burden on the rates.

diminish, the liberty of the common people. They are certainly better off, from the point of view of liberty, than they would be if they were still subjected to the degrading system of charitable patronage which so often deprived them of all individual liberty in the past.

We have now reviewed shortly a number of different types of legislation which restrict the freedom of action of individuals in the economic field with the purpose of providing a practical optimum of individual liberty at least for some classes in a modern industrialised state like our own. These laws and regulations, admittedly necessary, have not by any means succeeded in accomplishing true liberty for all the people. They are partial in their incidence and imperfect in their result and yet to-day no one seriously contemplates their repeal except in order to replace them by a more complete and effective code of planning and control.

#### THE RIGHT TO TAKE INDUSTRIAL ACTION.

There is one other aspect of our problem of preserving liberty which is of the greatest importance but which has not so far been dealt with by legislation to any great extent.

It is often argued by those who desire to retain the widest opportunity of exploiting the working class, that such liberties as the freedom to combine and to withhold labour should be taken away from the workers in favour of other methods of settling disputes as to wages and conditions such as arbitration, industrial courts or the like institutions.

There has been a considerable development of this

method of dealing with industrial disputes, and it might be considered satisfactory if it could be made certain that even-handed justice would be dispensed by the tribunals and if such justice were to be enforced by the State.

Until, however, a different conception of liberty for the workers rules in this country, a conception embracing economic as well as political freedom, it is essential that the ultimate and most precious liberty of the workers should be preserved, the right to strike.

There have unfortunately already been inroads upon this right under the Trades Disputes Act of 1927, which was aimed, after the general strike of 1926, at weakening the power of the organised working class movement. Under that Act it was, for instance, made illegal for the employees of local authorities and public utility corporations to strike, their sole method of exerting pressure being through the various councils that exist for regulating wages and conditions of work.

A body of workers with no economic reserves, driven to work day by day to earn enough to keep them from starvation in the following week can do nothing to oppose the great economic power of employers and shareholders who have other means of subsistence, and often large reserves, unless the workers can combine together to help one another in withholding their labour. This is the one means they have of bringing pressure to bear upon their employers.

So long as there exists a pool of unemployed labour so that the alternative to accepting the wages and

conditions offered is to suffer unemployment, the employers naturally have a great advantage in their bargaining.

If once unemployment could be abolished, as of course it cannot be in a modern capitalist state, except during a period of war, then the position might be reversed and the workers would come into their own, for they would have the predominant economic power, since, if they refused to work for one employer, they could easily find work with others, while the employer could find no other workers.

Never yet has such a situation arisen except during the last war,\* and the rapid rise in standards for the workers which then took place was largely the result of the total disappearance of unemployment.

I have dealt with this problem of liberty in some detail because there are, I believe, many earnest democrats who have so far failed to realise fully how great or difficult is the problem of democratic government to-day. It is all important that we should realise the forces which such a government must control and the growing complexity of that control. We must, too, be clear in our minds as to what it is we are aiming at when we acclaim our allegiance to democracy and liberty.

It should be apparent from the preceding analysis that there are some liberties which are essential to the continuance of democracy, while there are others which are in reality false liberties in that their preservation advantages only a small class to the detriment of the freedom of the mass of the people.

---

\* It has, of course, arisen again during the present war.

Our objective is the greatest liberty for the greatest number and not a maximum for a few and a minimum for the many.

#### ESSENTIAL LIBERTIES.

We can classify the essential liberties under a number of headings which will help to clarify the position when we come to consider the question of what machinery of government is available which will embody the democracy and liberty we seek.

##### *Liberty to hold opinions.*

This is the most elementary of all forms of freedom—to think as we like and to engage in individual actions and practices consonant with those thoughts. The whole of our cultural, religious and moral liberty depends upon this right. We demand that we should be allowed to follow our own bents in all the associations we desire to form for those purposes, provided by so doing we do not deprive others of their liberty.

##### *Liberty to influence opinions.*

This includes those most precious rights, the freedom of speech, of the press, of holding public meetings and of issuing books, pamphlets, etc. Closely associated with these is the right to exhibit plays and to show films both of which are restricted in this country by censorships with a subconscious political bias towards the preservation of the existing state of affairs. We must now add a further feature in the light of modern technical developments—that is broadcasting. This is the most powerful of all opinion-forming devices that mankind has yet invented.

The regulation of its use is a most difficult problem, since it is clearly a practical impossibility to allow anyone and everyone to broadcast as they wish—there are not enough wave-lengths to permit such a thing! The danger is that it may become the perquisite of the wealthy only or of the ruling government to the exclusion of all opposition opinion. In this country there is a limited, very limited, use allowed by the B.B.C. from time to time of the wireless for the expression of organised opposition views. It is vital that we should preserve and if possible extend the liberty to broadcast upon political and economic questions.

*Liberty to register opinions.*

This entails the right to give a vote freely without any form of pressure or duress, and freedom to conduct parliamentary and other elections upon a basis which gives no advantage to wealth or class.

*Economic Liberty.*

This denotes the right of every individual citizen by virtue of that citizenship to enjoy a reasonable share of the country's wealth, irrespective of whether the particular type of industrial organisation which is favoured by the political majority is or is not capable of providing continuous employment for all. No individual can be made responsible for the accident of general employment or unemployment and all are therefore equally entitled, provided they are willing to work, to a decent standard of living.

So long as competitive private enterprise persists in industry, economic liberty must include the right

of workers to combine to bargain with their employers and to withhold their labour if they so think fit as well as to set up all the necessary organisation for that purpose.

It was with the idea that some of these objectives might be realised that much of the legislation already dealt with was professedly passed, though a great deal of it was so consciously or unconsciously biased in favour of a particular class or section of the community as in fact to support the liberties of that class or section against, and at the cost of, the liberty of the common people. The nineteenth century humanitarians realised that, in view of the highly developed acquisitive instinct of many persons in the community, it was necessary for society to step in with controls and corrections to protect the weaker and poorer citizens.

#### ESSENTIAL LIBERTIES MUST BE SAFEGUARDED.

Our objective is to devise a form of government that will preserve these essential liberties while yet permitting the efficient and orderly planning of the economic life of the country so as to provide the commodities required by the people for their living, and so as to maintain our economic efficiency as a nation in order that our country may hold a position of leadership and influence in the world for its more peaceful and prosperous development.

#### FALSE LIBERTIES MUST BE SUPPRESSED OR CONTROLLED.

The false liberties are those which must be controlled and corrected by the State or suppressed in order to permit of the efficient economic organisation

of the country, while yet preserving the essential liberties of the people.

We have already encountered a number of these false liberties in our cursory examination of existing legislation.

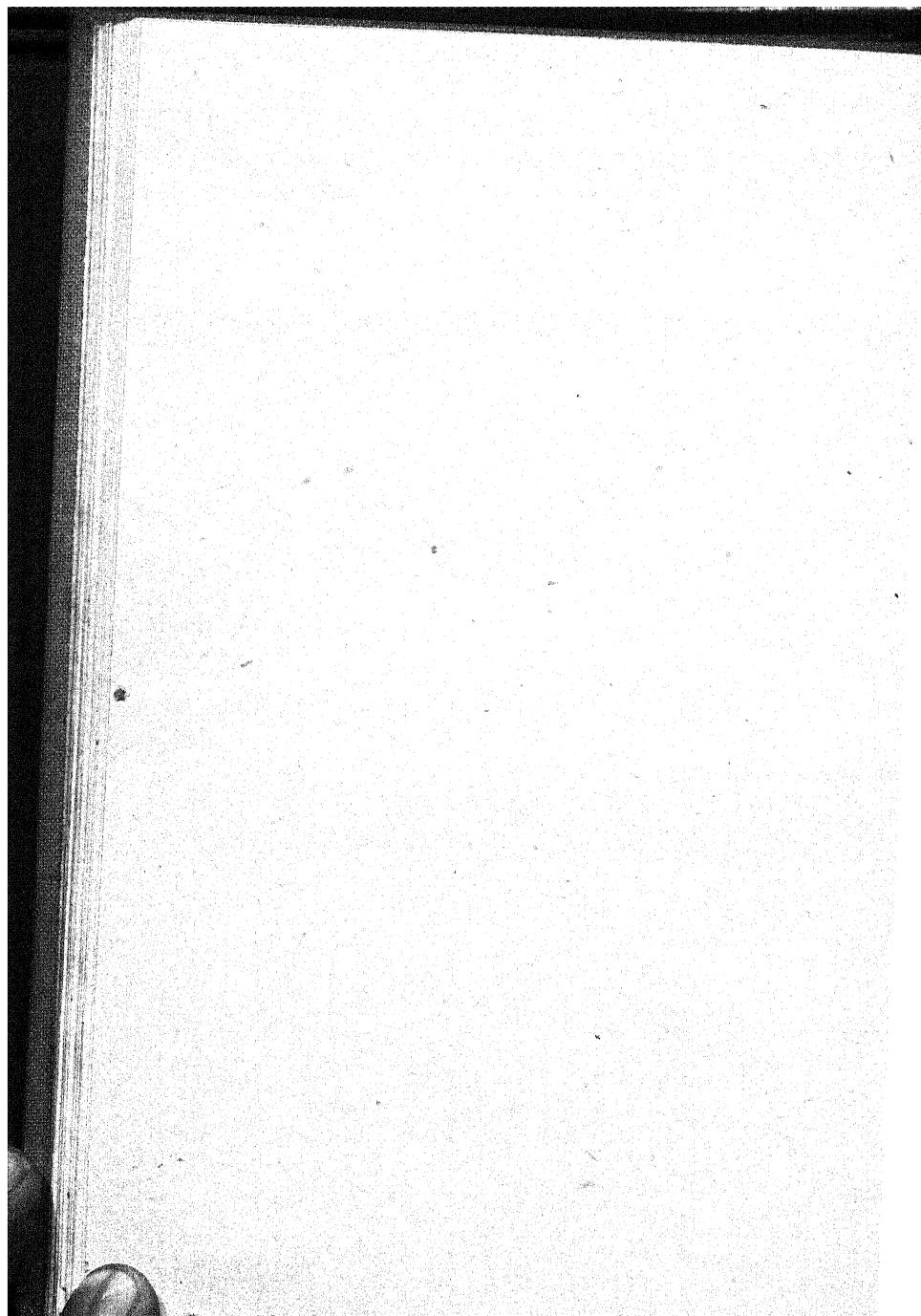
The freedom of shareholders to do what they like with their own, of property owners to hold up public developments or exact exorbitant prices from the public as the price of progress in social services, are examples of the false liberties with which we must deal. Deprived of these false liberties the persons affected will still retain, like all others, the essential liberties that are necessary for their freedom. They will have been restrained from exercising their economic power in a way to advantage themselves and to disadvantage the community. Just as the false liberties of others are restrained for their liberty and convenience, so their own false liberties must be restrained to free others.

In this sense the liberty of owners of private omnibuses in London has been restrained in order that electricity shareholders, amongst others, may travel more freely and expeditiously about their business in London; so the liberty of the electricity shareholder must be restrained so that the bus owner, amongst others, may have more easy and economical access to electric power; and the liberty of both must be restrained in order that the common peoples may get the benefit of the modern conveniences of transport and electricity.

It is essential to realise this distinction between the two classes of liberty which are confused by applying the name liberty to both—the first, the essential is, quite rightly, so-called; the second, the

false, wrongly, since it should more properly be referred to in the circumstances of to-day as individual license and not as liberty.

*PART TWO*  
THE SOLUTION



## *PART TWO* THE SOLUTION

After this somewhat prolonged but very necessary preliminary exploration we now come to our major problem. How are we to construct an efficient form of government that will preserve our essential liberties?

Such a form must be a practical form, that is to say it must be reasonably competent and efficient to carry through and administer the ever-growing mass of legislation that is now admittedly necessary to control and plan the economic life of the country, upon whatever pattern it is to be organised.

### THE PRESENT METHODS AND EXPEDIENTS.

Our first task is to review the existing situation and to examine the various methods that have already been adopted in the attempt to cope with the situation.

The broad principle of our democratic government to-day is that the House of Commons should control all financial matters and that the two Houses, the Lords and the Commons, jointly control all other legislation.

This principle so far as it concerns financial legislation is satisfactory, provided that the Commons reasonably represents the majority of the country at any given time.

### ELECTORAL SYSTEM.

Its representative character will be determined

by the degree with which the electoral system throws up true representatives of the majority view of the electors in each constituency.

There are to-day grave defects in that system, arising out of the advantages which wealth can give to one or other side in an electoral contest.

Anyone who has had to take part in elections will know that the difference between fighting an election upon £200 instead of £1,000 is very great indeed, and the difference between having 5 cars or 100 cars available for the transport of, particularly, outvoters is also very large.

The State has already limited the amount which may be spent upon elections, but however much it is limited there is a necessary minimum which no poor man can provide. The responsibility and the cost of electing and maintaining the membership of the House of Commons should be a public charge borne by the State and it should be illegal for any person or organisation to supplement the State allowance from private funds. The method of demanding a deposit from a candidate, which is returnable if he secures a certain minimum of votes could be continued to prevent as far as possible an unnecessary number of individuals standing. It would further be necessary to limit the number of candidates permitted to stand on the basis of having all their expenses paid. Others should be allowed to stand but only if they paid their own expenses. The number might be limited to two, one representing the Government, and one the Opposition, or such opposition party as had secured the greatest number of votes at the preceding election.

No use should be permitted of private vehicles at

elections and all outvoters should be provided with travel vouchers or else be allowed to register their votes away from their constituency, as are now soldiers and sailors.

I believe, too, that it would definitely be of advantage to make voting, at least at National Elections, compulsory, for every citizen should be made to take at least that amount of interest in the political life of the country.

There are many other amendments and alterations to the electoral law such as the abolition of plural voting, and the redistribution of seats, now long overdue, that are highly desirable, but the most important factor is so to regulate the election of representatives to Parliament that neither wealth nor class influence can give one candidate any advantage over another.

It could thus be ensured that the minimum of irrelevant pressure would be exerted upon the electors, to divert them from the true issues.

It is not possible to prevent candidates making extravagant promises without any intention of their fulfilment, or from misleading the electors in other ways. From this particular aspect of freely conducted elections it is well that the major political parties engaged in the struggle should have clearly defined and widely advertised programmes, by which their subsequent actions can be tested.

I know of no device by which what has come to be termed "a stunt election" can be avoided. In such elections one of the parties raises a wholly irrelevant political cry which is designed to frighten or sway emotionally the electorate. Recent examples

of such tactics are to be found in the Zinovieff letter scare of 1924, and the Post Office Savings scare of 1931. Both of these were disclosed, and admitted, as being completely false after the damage had been done. The only protection against repetition of such completely undemocratic action is a higher standard of political honesty amongst candidates or else a greater degree of political intelligence and education amongst electors.

Such "stunt elections" are very serious matters for democracy since they produce results wholly unrelated to the true political issues and thereby deprive the people of their right of free election. Emotional and false propaganda ought to be restrained not merely because it is immoral but because, too, it destroys one of the essential liberties of the people in a most diabolical and underhand way.

There are many to-day, especially Liberals, who believe that some form of proportional representation would be of advantage in getting a true representation of public opinion through elections.

I do not share that view, for I believe that it is better wherever possible to have a straight fight between the Government and the party or group of parties which represent the practical alternative Government in which two rival programmes only need be voted upon. The introduction of a host of parties or sections which would result from proportional representation would confuse the issues, and the election of a number of progressive independents or groups unaffiliated to the main opposition would make the task of the most reactionary party in Parliament far easier. The progressives would be split into factions

whereas the reactionaries would remain solid around their reaction. We do not need any fresh devices for splitting the progressive vote into fractions, there is already too much dispersion of progressive effort; what we require is a concentration of that effort if power is to be behind progress.

The first matter in logical sequence therefore that requires reform is the electoral system, to ensure the election, as far as it is practically possible, of a House of Commons which truly reflects the opinion of the country. I do not however suggest that such reforms need necessarily come first in time. It is not necessary to wait till another general election to start even upon the reformation of House of Commons procedure.

#### MEANS FOR GETTING THROUGH BUSINESS.

We next come to the immensely difficult task of ensuring the practical, and not merely theoretical, supremacy of the House of Commons in all vital matters, while yet permitting a sufficient degree of devolution of its powers to enable it to cope with the manifold tasks that do or ought to come within its control.

The pressure of expanding responsibilities and of the need for legislating upon a whole host of detailed matters, domestic and imperial, has in more recent years led to the adoption of a number of expedients devised to assist in the passage of business.

Unfortunately these expedients are mostly improvisations and many of them have their origin in the opportunism of a particular parliamentary situation or in the belief that they will advantage some particular party.

There has been no plan or scheme for their application, and no conscious attempt to build up an efficient machine of government. We pride ourselves, very stupidly, as a country on our ability to "muddle through." This is one of the muddles.

In the result some detailed matters are given full consideration in the House of Commons while others, dealing with questions of principle, are practically settled without any effective Parliamentary control.

#### THE WORK OF THE HOUSE OF COMMONS.

The work that the House of Commons now (1939) does may be divided under the following categories :—

- (a) Financial control of revenue and of expenditure including the Budget and the Finance Bill.
- (b) Control of administration of all Government departments.
- (c) Passage of legislation with regard to—
  - (i) social services
  - (ii) economic organisation of industry and agriculture
  - (iii) legal reform
  - (iv) other matters.
- (d) Approval or rejection of delegated legislation.
- (e) Private Bill legislation.
- (f) Resolutions upon various topics brought up by private members, and Private Members' Bills.
- (g) Votes of censure and other matters.

An analysis of the effective output of Parliament over the period of a year shows—so far as the time of the House of Commons sitting as such or as a committee of the whole House—the following results.

This tabulated statement is approximate only and ignores the time spent in committees upon bills of which the committee stage is not taken in a committee of the whole House and the activities of all other committees such as the public accounts committee, committee of privilege, etc., etc.

*Analysis of Parliamentary Time, 1937-1938.*

	Hours.
I. Financial control of Expenditure and Supply (including Finance Bill and Estimates) . . . . .	308.0
II. Legislation . . . . .	487.0
1. Social Services . . . . .	65.0
2. Economic organisation of Industry and Agriculture . . . . .	209.0
3. Legal Reform . . . . .	21.0
4. Private Members' Bills . . . . .	63.0
5. Miscellaneous . . . . .	129.0
III. Orders in Council . . . . .	17.0
IV. Private Bill Legislation . . . . .	16.0
V. Resolutions upon various topics by Private Members . . . . .	52.0
VI. Other Matters . . . . .	340.0
1. Questions and private business . . . . .	131.0
2. Debates on the Motion for the Adjournment . . . . .	68.0
Home Affairs 27.0	
Foreign , , 41.0	

3. Foreign Affairs debates on Government Reso- lutions . . . .	61.0
4. Defence debates on White Papers, etc. . . .	22.0
5. King's Speech . . . .	39.0
6. Miscellaneous . . . .	19.0
 Total hours . . . .	 1220.0
Parliamentary whole days	137
Fridays . . . .	33
 Taking Fridays as $\frac{1}{2}$ days	 
Total whole days . . .	153
 Average hours per day,	 7.94

This analysis of Parliamentary time hardly suffices to explain what is wrong with Parliament, but there are one or two matters that deserve comment.

#### NO CONTROL OF DELEGATED LEGISLATION.

The first is the extraordinarily small amount of time that can be and is spent on the control of delegated legislation.

In the whole year only 17 hours was so spent which means of course that more than 90 per cent. of the Orders in Council were never reviewed at all, indeed it is extremely doubtful whether the vast majority of members ever knew of their existence.

As regards very many of them this is perhaps unimportant. But it has been shown by the general tendency of legislation throughout the world that it is

becoming more and more necessary to deal with a whole host of important matters by delegated legislation through Ministers and others. In theory all the legislation of totalitarian powers is delegated, the delegation being made once and for all by democracy on its deathbed.

It is neither possible nor desirable to reverse this process of delegation which is quick, convenient and efficient, provided only that it can be effectively supervised.

The question is not of getting rid of this new legislative device which suits the modern circumstances but of preventing it becoming a new autocracy.

Quite obviously 17 hours' attention annually given to this very large field of legislation is wholly inadequate to safeguard our democratic rights.

It is worth while in this respect to look in a little more detail into the kind of legislation that is now being passed by Order in Council.

The following table makes the attempt to divide up the Orders in Council that were passed in the session 1937-8 under different headings which give some rough idea of the sort of subject matters with which they deal.

Total number of Orders in Council passed in 1938 of a general character . . . . .	835
Organisation and control of industry . . . . .	103
Organisation and control of agriculture and fisheries . . . . .	94
Social services . . . . .	96
Defence (including A.R.P.) . . . . .	58
Transport (including Air regulations) . . . . .	250

Regulations dealing with India and Burma.	52
Regulations dealing with Dominions and Colonies . . . . .	27
Administration of Justice . . . . .	35
Import and Excise duties . . . . .	41
Miscellaneous . . . . .	79

Of these 67 came before the House of Commons for nominal approval.

In addition 826 Orders in Council were passed dealing with local matters.

Of the total number of 1661 only 67 were considered by the House of Commons at all and these between them occupied the 17 hours given to that item during the session.

#### WASTE OF PARLIAMENTARY TIME.

The second general comment which may be made on the analysis of Parliamentary time is that a good deal of it was in reality wasted.

A certain amount of repetition is necessary but too much becomes tedious and ineffective.

It must, however, be remembered that members are sent to Parliament to take part in the debates and the activities of the House of Commons. Comparatively few of the 615 even now can find any opportunity of catching the Speaker's eye, and yet for the sake of their constituents and their local reputation it is natural that they should desire to "get in" on a certain number of debates.

#### AVERAGE DAY IN THE HOUSE OF COMMONS.

The average day in the House of Commons allows

about 7 hours for speeches, if there are no intervening divisions. In the cases of such a debate as a second reading of a Bill the rough time-table may be as follows :—

Minister introducing Bill	3.45	4.45
Front Bench Opposition opening speech	4.45	5.30
Liberal Opposition speaker	5.30	6.10
Back Bench members	6.10	9.40
Front Bench Opposition winding up speech	9.40	10.20
Minister winding up	10.20	11.0

This allows 3½ hours for back bench members which, if they are all short in their speeches—and there are generally one or two which are long—would allow ten speakers to get in, of whom probably six or seven would be on the opposition side and three or four government supporters. The other 600 members would perforce be silent!

It would be far more effective if the members could have a really active life on committee work taking part in the control of administration and the formative stages of legislation, leaving the debates in the House to be devoted to matters of major importance.

The obvious impossibility of all members getting in on such debates would render it less objectionable to those who failed to catch the Speaker's eye.

Not only so but the House itself would be much more interested in debates of the whole House if they were not of such continual occurrence and often upon matters which really do not merit the time spent upon them.

A debate of the whole House should be an occasion

he selects, have been introduced into the procedure and have upon the whole worked satisfactorily so long as they are not used recklessly to suppress all opposition.

#### DEMOCRATIC CONTROL AND MECHANICAL ADMINISTRATION.

The first clear distinction that must be drawn in considering how to obtain the greatest practical democratic control of finance legislation and administration is between essential principles and mechanical administrative detail. This is by no means so simple as it may sound since in what appears to be an administrative regulation there may easily be wrapped up a very important question of principle.

In this respect it is necessary to observe the logical results of the operation of the party system in the House of Commons. No Government could continue to function with any certainty unless it had some assurance that it could rely upon its followers for their support upon all important matters of principle and in the granting of the necessary financial supplies to carry on the government of the country. The method of "whips" whereby members are instructed how they must vote upon pain of losing membership of their party and so their chance of re-election, is the effective sanction for a continuing majority behind the Government.

Some such form of party control within a democratic assembly is no doubt necessary if the party system is to work, but it is not essential that it should be imposed uniformly upon each and every occasion when a vote has to be taken either in the House of Commons or in committee.

In theory the Government is supposed to resign if defeated upon any question of principle or on any considerable issue where an important Bill is concerned. In practice this depends upon the stability of the Government and the estimate by the Prime Minister of his ability to get through the difficulty without resignation.

A defeat in one of the committees of the House is not regarded as fatal to the Government, but a defeat in the whole House or a committee of the whole House would, as a rule, be considered a ground for resignation unless the vote were declared to be a "free vote" (i.e. with the whips taken off) or were admittedly upon a question of minor importance.

There is, as I have stated, a really grave difficulty in stating what are matters of principle and what are merely matters of detail. But this difficulty is very largely the outcome of an indeterminate policy. Where there is no definite and expressed plan of finance and legislation embodying the policy of the Government, it is difficult to say of what that policy consists in principle.

Consider as an example the most recent Electricity distribution proposals which were put forward in a White Paper by the Government after the *McGowan* report, setting out provisions for the organisation of the distributive side of the electricity industry. These proposals were subsequently withdrawn because of the opposition to them by the vested interests in the industry. If they had not been withdrawn but a Bill had been introduced upon which the Government had been defeated, would this have been a matter of principle? No one can answer that question since

no one can say whether this Bill was intended to be part of a planned scheme for reorganising the industrial life of the country and so an important measure of Government policy, or merely a chance Bill to deal with an isolated and comparatively unimportant set of circumstances that had arisen in this particular industry.

There must be some means devised by which the Government can declare its policy to the House of Commons and make clear the essential matters of principle by which it will stand or fall and upon which therefore it must command the complete loyalty of its followers.

In other matters of less vital importance there is every reason why members on all sides of the House should co-operate to produce the best and most effective legislation and administration that is possible. It will not diminish but rather will it increase the effectiveness of a vigorous opposition if that opposition can be reserved for matters of real importance. Such vigorous opposition will then stand out in sharp and important relief to the more humdrum administrative and legislative activities of Parliament, and emphasise the importance of the issue involved.

#### PLANNING AND FINANCE BILL.

The first practical improvement in this direction would be for the Government at the beginning of each session to place before Parliament some plan of its legislative activities to stretch over a considerable period of time, at least one year. A final decision should then be taken by the House of Commons upon all the principles incorporated in that plan. Once

finally accepted they should not again be open to repetitive discussion.

This would mean in effect supplementing the present Budget and Finance Bill, which are now the main features of the Parliamentary session, by a number of resolutions and clauses setting out the principles of all the main Bills that are to form part of the legislative plan for the year. Such a Finance and Planning Bill would not merely deal with the collection of the various taxes to provide the necessary funds for the services of the year, including services resulting from new legislation to be passed, but clauses would be incorporated in that Bill authorising committees of the House to proceed with the detailed working out of all the main legislative measures which the House of Commons would by the passage of the Bill itself approve in principle. This addition to the Finance Bill of planning clauses would have the added value that it would compel the Government to declare its policy in advance as a considered whole, rather than allowing it, as now, to dribble out in a series of isolated measures as opportunity offers.

Members of the House of Commons would have the advantage of being able to see the whole picture of the legislative intentions of the Government linked to their essential financial background bases, and would thus be much better able to express an informed opinion upon the relative value of the different parts of the plan.

This change may seem a comparatively small matter from the procedural point of view, but if it were to be adopted it would have very far reaching effects upon the efficiency of our democratic machinery.

It would introduce a certain novelty of technique of draughtsmanship, but speaking in terms of the present parliamentary procedure it might be described in the following terms.

Every Bill that entails the expenditure of public funds and almost all important Bills do in present circumstances must be preceded by a Financial Resolution authorising the expenditure of money upon the specific purposes of the Bill. These financial resolutions are now drawn in narrow and precise terms incorporating in many cases the main objects of the Bill for which the money is required. Under present procedure the discussion of these resolutions, when it takes place at all, amounts to no more than a duplication of the second reading debate upon the Bill. In both cases the House is concerned with the general principle of the Bill and not with its details.

If all the financial resolutions for the year were to be brought forward at the same time and in the same way as are the Budget resolutions to-day, and clauses were then to be inserted in the Finance and Planning Bill authorising the detailed Bills to be proceeded with, all subsequent stages of those Bills could be dealt with far more expeditiously.

Once the principles had thus been decided the subsequent rules of procedure would have to make it clear that there could be no re-discussion of the principles. The House would have to recognise that so far as those matters were concerned the function of Parliament was to facilitate and not to delay all progress and all legislation.

The Finance and Planning Bill would thus contain the provisions for taxation for the year, but not

detailed amendments of fiscal provisions such as those dealing with the collection of Income Tax, and in addition a series of clauses, each one of which would embody the main principles upon which some future bill was to be founded which was to form part of the Government legislative programme for the session or longer period.

It might not be possible, especially in the early stages of the adoption of this procedure or in cases of emergency, to incorporate every proposal in the Finance and Planning Bill.

If there were omissions or if sudden necessity arose to deal with some matter of emergency by legislation, then a special financial resolution could be introduced in the House authorising legislation, which could if necessary be subsequently incorporated in a Finance and Planning No. 2 Bill.

The Finance and Planning Bill would merit the most careful and detailed discussion by the House of Commons as a whole, and should be afforded adequate Parliamentary time to decide upon all the legislative principles which it incorporated. If it were found to be more convenient, the period of the plan could be expanded from one to two or even more years, as the technique of planning developed.

This method provides a possible and practical basis for efficient legislation provided the Government has a plan and is not merely opportunist in its actions. The production of the plan would enable the electors to compare the actions of the Government with the electoral promises made by its supporters. This would be of great advantage in perfecting a true democratic control of the House of Commons by the people.

With such a central feature of parliamentary activity it would become possible to rearrange the remaining parliamentary functions to great advantage.

Let us now examine the remaining functions of Parliament with reference to the analysis set out on pages 59-60.

#### OTHER FUNCTIONS OF PARLIAMENT.

##### *(a) Financial control of expenditure and supply.*

This would be exercised very largely through the Finance and Planning Bill. The more detailed control which consists in supervising the expenditure of various Government departments, especially with a view to seeing that the works and expenditure projected are in fact carried through, would be carried out by the committees of the House, which are dealt with below.

##### *(b) Control of administration of all Government Departments.*

This control is operated at the present time in two ways. First, by the right of any member to question a Minister upon any matter for the administration of which that Minister is responsible.

The daily question hour in the House of Commons is used for this purpose and is undoubtedly a most valuable public check upon administration.

Second, in Committee of Supply, to which at least 20 Parliamentary days must be given annually, the estimates of the various departments can be discussed at the choice of the opposition parties who select the particular votes they desire to be put on the order paper for each allotted day. If there are supplementary estimates submitted to Parliament after the main estimates have been submitted those supple-

mentary estimates must also be passed by the House of Commons.

It is worthy of observation that this year (1939), for the first time during peace, these supply days have been cut down to 15, on the excuse that there was so large a volume of emergency legislation of a pre-war character to occupy the time of the House. This is an excellent example of how, in present circumstances, essential democratic controls are sacrificed because of the inadequacy of our democratic machinery. It is of little use to protest against that sacrifice unless we are prepared to devise ways and means of rendering it unnecessary.

In these debates on supply, administration can be dealt with only so far as it comes within the particular vote or votes selected, and the standing orders prevent any question of new legislation being raised or discussed.

This procedure provides a wholly inadequate control, for it can neither cover the whole area nor can it deal adequately with the area already covered. To take but one example, the Colonial estimates, it is rarely that more than one day can be spared for these, and no one would suggest that it is possible to deal with all the problems of the Colonial empire, in a single evening's debate. Discussion wanders round every quarter of the globe and as a result must be completely indecisive in its effect upon Colonial administration.

On this very subject matter a strong request was made from every side of the House of Commons on the last Colonial supply day that a Committee should be set up to deal more competently and thoroughly with the whole question of Colonial administration.

The same criticism applies to other votes, and

when it is remembered how many important departments of State there now are, it will be realised that no effective control of administration can be exercised in this way. The best that can be done is to concentrate a debate upon one or two of the more outstanding defects or problems of administration.

Added to this lack of control is the futility of a discussion in which it is impossible to suggest legislative improvements for the deficiencies which are criticised. It is often most desirable to put forward alternative solutions for administrative problems which entail the giving of fresh powers to Ministers. Indeed, criticism which is prevented in this way from being constructive is often rightly regarded as unhelpful and merely destructive in character.

Nevertheless this is clearly one of the most important aspects of democratic control. Changes in law are the necessary beginning of progress, but it is vitally important to make certain that the legislation already passed is fully carried into administrative effect. This is necessary for otherwise the law-making power of Parliament may easily be set at nought by a reluctant Ministry or an over-conservative civil service.

The position of the civil service is a very strong one. It is entrenched behind a mass of specialist knowledge which can be used to demonstrate to a comparatively inexpert Minister how impossible it is to make changes.

If there is added to this weight of opinion against progress the perpetual reluctance of the Treasury and its watch dogs in the various departments to spend any money for any service except under strong compulsion, it is easy to realise that the civil service may act as a

very strong brake upon legislative and administrative advance. Ministers are still ready to boast that they have "saved" money on administration when they are in reality only admitting that they have not carried out the intention of Parliament.

It is, however, only fair to add that given a determined Minister, the civil servants will do everything in their power to carry through his directions with willingness and efficiency. A great deal of the blame that is showered on civil servants should rightly be borne by inefficient and weak Ministers.

#### HOUSE OF COMMONS COMMITTEES.

Control of administration should be exercised by efficient House of Commons Committees, which should be of the same type as for instance the Scottish Grand Committee of the House or those Committees which control administration in the more efficient units of local government.

The Housing Committee of such a body as the London County Council, which administers an immense public service, has much more directive power over and control of administration than the House of Commons has over the Ministry of Health. Yet the functions of that department of State are infinitely more important, controlling, as it does, a wide variety of social services throughout the country including the administration of local government. It is one of the prime functions of that Ministry to see that local authorities make full use of the powers that Parliament has given them, and it is the duty of Parliament to ensure that the Minister of Health carries out this and many other functions with vigour and efficiency.

Under existing parliamentary procedure it is impossible to find the time to exercise these essential administrative controls. Though some members may naturally take a greater interest in the activities of one department of the Government, they have little or no opportunity for gaining any specialised knowledge of its administration.

What can be done by questions or an occasional speech on a supply day cannot shake the almost smug satisfaction with which so many Ministers surround themselves, feeling safe in the protective power of the expert knowledge of their advisers.

To carry through the detailed control that is necessary, committees of the House of Commons should be set up, each dealing continuously with some particular section of the administration.

As the Finance and Planning Bill would be the central feature of the work of the House of Commons as a whole, so these committees would be the centres around which a large part of the rest of the Parliamentary functions would be grouped.

Such committees would not only supervise estimates, and control administration, but could also suggest fresh legislation that was needed and instigate the appropriate Minister to take the necessary action to get such legislation included in the next Finance and Planning Bill. The Minister would find himself in a much stronger position in the Cabinet and in his inevitable struggle with the Treasury, if he were able to point to the support of a strong committee of the House of Commons for the legislation he was recommending. Public opinion, too, which would be aware of the committee's recommendations, would

play its part in pressing that the committee's decision should be duly implemented.

The committee would also—and this is a matter of very first class importance in view of what I shall have to say with regard to delegated legislation—control and supervise the whole range of ministerial and other powers with regard to Orders in Council.

The effectiveness of this committee system would depend mainly upon three things. First, the bringing together within the committee of a sufficient number of members of all parties who would be prepared to take a real interest in the subject matters to be dealt with.

At the present time, as I have already pointed out, very few members have the opportunity of so interesting themselves. The life of many back-bench members, particularly on the Government side, is one of intolerable boredom. They are compelled to attend the House in order that they may take part in divisions, but the opportunities of speaking are very rare and they soon become tired of sitting in the chamber and listening to others. Every day from 3.45 p.m., when question time ends, until 11 p.m., and often later, they have to fill in their time as best they can.

One of the most disturbing features of the House of Commons at the present time is the extraordinarily small attendance of members within the chamber itself. The average division—except on some very special occasion—is little more than half the membership of the House, whereas the actual attendance in the chamber for a greater part of the evening is often not more than 30 to 40 members.

To give the members individually an opportunity

of gaining real knowledge of some particular department of State by constant attendance in a committee dealing specially with the affairs of that department, would open out a new and valuable opportunity for their making a real contribution to democratic government, and is one which I am certain the great majority of them would most gladly welcome.

Second, a degree of continuity of membership and attendance would be essential as this would enable the members to gain that intimate and wide knowledge of their subjects which would give them power to control. So far as the Opposition was concerned this experience would greatly help in the training of new talent and in the building up of that alternative Ministry which is an essential, though often much neglected, duty of the Opposition. Today, the number of members who hold official or semi-official, e.g. parliamentary private secretaries, posts in the Government amounts to over one hundred. An alternative hundred is required in the Opposition to form the alternative Government.

Third, there must be built up an atmosphere of common endeavour in the committees based upon a desire to develop the best administration possible. Matters of principle would be left to be dealt with by the House of Commons itself. There should be no question of a Government defeat in such committees being considered as a matter of any importance, for the object would be to make it as easy as possible for the Minister in charge to adopt suggestions put forward by the members of the committee. The usual party contests should be limited as far as possible to the more grave or important

matters, and opposition for the sake of opposition or obstruction should be firmly discouraged. Indeed in the committees it would not be "the duty of the Opposition to oppose" as it is in the House of Commons itself, but rather would it be their function to act as the watch dogs of the public over all administrative matters, while themselves making a constructive contribution to the administration and legislation.

One at least of the Ministers appropriate to the subject matters dealt with by each committee would be in attendance at its sittings, together with such members of their staff as were necessary to give the committee the information it required. The main body of the committee would consist of some 40-60 members drawn from all parties in proportion to their strength in the House of Commons.

Members could be given the opportunity to state their preferences for the committees upon which they desired to serve and, upon the basis of these, a selection committee would nominate the membership of all the committees. The committees should present reports annually—or more often if necessary—to the House so that other members and the public would be able to see what work had been carried out and what main suggestions or criticisms had been advanced.

The chairman of each committee should be some experienced back bench member of the House drawn from either side, and he should be given the power to propose to the committee that any matter which he regarded as of particular or exceptional importance should be reported forthwith to the whole House. The chairman of committees now

exercises a somewhat similar power with regard to Private Bill legislation, which enables him to set down such a bill at 7.30 p.m. on any day for discussion upon some matter of principle.

If the committee endorsed the chairman's recommendation he should then be given power to place the matter on the order paper of the House for discussion at an early date.

The actual number of committees to be set up would depend upon how the business could be most conveniently divided.

The existing Committees of the House of Commons are as follows :—

#### COMMITTEES OF THE HOUSE OF COMMONS.

##### STANDING COMMITTEES IN 1939.

###### *Standing Committees*—6.

One of these deals with Scottish Bills exclusively, to the others are allocated Bills referable to standing committees. The composition of these committees is determined by the Committee of Selection.

###### *Sessional Committees.*

Committee of Public Accounts.

Committee of Standing Orders.

Committee of Selection.

Committee on Public Petitions.

Committee on Local Legislation.

Committee of Privileges.

All the standing committees would be merged in

the new committees, and the sessional committees would be continued as at present.

In the following table are set out the departments of the State as at present constituted, with their more important functions :—

#### DEPARTMENTS OF STATE.

##### DEPARTMENTS OF STATE IN 1939.\*

- *Home Office*.—Control of Police.—Immigration.—Prisons.—Public Order.—Working conditions in Factories, etc.

---

\* Owing to war-time demands many of these Ministries have taken on new functions and several new Ministries have been created ; one Ministry—the Ministry for the co-ordination of Defence—no longer exists as its former work is now done by the Prime Minister in his capacity of Minister of Defence. The following are the changes in detail :—

(i) *Ministries with new functions* : All the Ministries which were in existence in 1939 have assumed new war-time responsibilities. In most cases, the allocation of these responsibilities is clear to any observer ; the following three cases, however, merit special attention as the war has meant considerable change :

*Home Office and Ministry of Home Security* : developed from 1939 Home Office with Civil Defence as the additional duty.

*Ministry of Labour and National Service* : developed from 1939 Ministry of Labour with the control of the labour supply to industry and the Armed Forces as its main function.

*Ministry of Works* : developed from the 1939 Office of Works and now responsible for all war-time building done by the Government.

(ii) *Ministries created since September, 1939* :

Ministry of Production,  
Ministry of Aircraft Production,  
Ministry of Economic Warfare,  
Ministry of Fuel and Power,  
Ministry of Food,  
Ministry of Information,  
Ministry of Town and Country Planning,  
Office of the Ministry of Reconstruction.

*Foreign Office*.—Relations with Foreign Powers.

*Dominion Office*.—Relations with Dominions—Business of Imperial Conference.

*Colonial Office*.—Administration of the Colonial Empire.

*War Office*.—Administration of the Army.

*Air Ministry*.—Administration of Royal Air Force and Control of Civil Aviation.

*India Office*.—Administration of India.

*Burma Office*.—Administration of Burma.

*Admiralty*.—Administration of Navy.

*Ministry for the Co-ordination of Defence*.—Co-ordination of Defence Departments.

*Board of Trade*.—Commercial and Industrial Policy.—Administration of statutes relating to merchant shipping, key industries, patents, etc.—Overseas Trade.—Mines.—Collection of Statistics.

*Ministry of Supply*.—Administration of supply for War Departments.

*Lord Privy Seal* (Minister without Portfolio).

*Privy Council*.—Formal duties in connection with making Orders in Council.—Scientific research. (The Lord President is a member of the Cabinet and acts as a Minister without Portfolio).

*Ministry of Health*.—Administration of all Local Government and Health services.—Housing and Town Planning.

*Ministry of Transport*.—Administration of Transport, Communications and Roads.

*Board of Education*.—Administration of all Education services.

*Ministry of Labour*.—Administration of Employment and Unemployment.—Labour disputes.

*Ministry of Pensions*.—Administration of Pensions.

*Ministry of Agriculture and Fisheries*.—Administration of Agriculture and Fisheries.—Control of Marketing Schemes.

*Chancellor of the Duchy of Lancaster* (Minister without Portfolio).

*Treasury*.—Administration of Finance and Expenditure.

*Scotland*.—Administration of all Departments for Scotland.

*Office of Works*.—Control of public buildings, ancient monuments, royal parks, etc.

It is obvious that it would not be possible to have a separate committee for each function, though the main committees might well find it convenient at times to divide their members into a number of sub-committees, each of which would deal with a more specialised sphere of administration.

If we assume that the maximum possible number of committees of this type to be about twelve, each with some fifty members, then a division of their functions might be made upon some such basis as the following :—

SUGGESTED GROUPING OF DEPARTMENTS OF STATE  
UNDER THE NEW COMMITTEES :—

(In the case of those marked with (s) these would be constituted sub-committees of the main committees to deal specially with such section of administration.)

1. *Defence*.\*

(s) War Office.

(s) Admiralty.

---

\* In the light of war-time experience I would add to this list—  
the Ministry of Home Security,  
the Ministry of Production,  
and the Ministry of Aircraft Production.

*Foreign Office*.—Relations with Foreign Powers.

*Dominion Office*.—Relations with Dominions—Business of Imperial Conference.

*Colonial Office*.—Administration of the Colonial Empire.

*War Office*.—Administration of the Army.

*Air Ministry*.—Administration of Royal Air Force and Control of Civil Aviation.

*India Office*.—Administration of India.

*Burma Office*.—Administration of Burma.

*Admiralty*.—Administration of Navy.

*Ministry for the Co-ordination of Defence*.—Co-ordination of Defence Departments.

*Board of Trade*.—Commercial and Industrial Policy.—Administration of statutes relating to merchant shipping, key industries, patents, etc.—Overseas Trade.—Mines.—Collection of Statistics.

*Ministry of Supply*.—Administration of supply for War Departments.

*Lord Privy Seal* (Minister without Portfolio).

*Privy Council*.—Formal duties in connection with making Orders in Council.—Scientific research. (The Lord President is a member of the Cabinet and acts as a Minister without Portfolio).

*Ministry of Health*.—Administration of all Local Government and Health services.—Housing and Town Planning.

*Ministry of Transport*.—Administration of Transport, Communications and Roads.

*Board of Education*.—Administration of all Education services.

*Ministry of Labour*.—Administration of Employment and Unemployment.—Labour disputes.

*Ministry of Pensions*.—Administration of Pensions.

*Ministry of Agriculture and Fisheries*.—Administration of Agriculture and Fisheries.—Control of Marketing Schemes.

*Chancellor of the Duchy of Lancaster* (Minister without Portfolio).

*Treasury*.—Administration of Finance and Expenditure.

*Scotland*.—Administration of all Departments for Scotland.

*Office of Works*.—Control of public buildings, ancient monuments, royal parks, etc.

It is obvious that it would not be possible to have a separate committee for each function, though the main committees might well find it convenient at times to divide their members into a number of sub-committees, each of which would deal with a more specialised sphere of administration.

If we assume that the maximum possible number of committees of this type to be about twelve, each with some fifty members, then a division of their functions might be made upon some such basis as the following :—

SUGGESTED GROUPING OF DEPARTMENTS OF STATE  
UNDER THE NEW COMMITTEES :—

(In the case of those marked with (s) these would be constituted sub-committees of the main committees to deal specially with such section of administration.)

1. *Defence*.\*

- (s) War Office.
- (s) Admiralty.

---

\* In the light of war-time experience I would add to this list—  
the Ministry of Home Security,  
the Ministry of Production,  
and the Ministry of Aircraft Production.

- (s) Air Ministry.  
Ministry for the Co-ordination of National Defence.  
Ministry of Supply.  
Ministry of Information.
- 2. *Treasury.*  
Treasury.
- 3. *Foreign.*  
Foreign Office.  
(s) India.  
(s) Burma.
- 4. *Empire.*  
Dominion Office.  
Colonial Office.
- 5. *Home.\**  
Home Office.
- 6. *Trade.*  
Board of Trade.  
(s) Shipping.  
(s) Overseas Trade.  
(s) Mines.
- 7. *Health.*  
Ministry of Health.  
(s) Local Government.
- 8. *Transport.*  
Ministry of Transport.
- 9. *Labour.*  
Ministry of Labour.
- 10. *Unemployment.*  
Assistance Board.  
Ministry of Pensions.

---

\* In the light of war-time experience I would add—  
the Ministry of Town and County Planning,  
the Office of the Minister of Reconstruction.

11. *Agriculture and Fisheries.*

Ministry of Agriculture and Fisheries.

- (s) Agriculture.
- (s) Fisheries.

12. *Scotland.*

Scottish Office.

13. *Board of Education.*

Office of Works.

Privy Council (Scientific Research, etc.).

The sub-committee division is merely a suggestion which would need to be worked out by practical experience.

It would probably prove quite practicable to have more than a dozen committees, since the more energetic members might wish to sit on more than one committee and in view of the time available for committee work it should not be impossible to arrange for those members who wished to serve on an extra committee.

This would give a greater effective committee personnel and thus enable more committees to be constituted.

The introduction of this committee system should be preceded by the collation of the experience of local authorities in the operation of their committees so as to enable standing orders to be formulated which would prevent factious opposition within the committees, and also to give the officers of the civil service who attended the committees a guide as to procedure in the new position in which they would be placed.

At the present time in local authority committees the officers address the committee and assist the members by placing facts and arguments before them, without taking any active part in deciding policy. Civil servants would be required if the committee system were to work efficiently to perform a similar function.

There is a mass of experience in the various large local authorities upon this matter and it should not be difficult to adjust the standing orders of the House of Commons so as to reproduce all the best features of these local authority committees.

The main essential is that the members of the committees should realise that party faction must be reserved for the House of Commons itself, and that the object of the committees would not be to settle or debate principles of legislation but to safeguard the administration of the various services in the interests of their efficiency and economy, and to produce the best possible legislation.

I here use the word economy in its true sense, that is the wise spending of money, and not in the sense in which it is so often misused to mean the saving of expenditure at all cost.

#### PARLIAMENTARY QUESTIONS.

The subject matter of parliamentary questions is an important one.

At the present time this method of raising publicly some complaint against the administration is of great value, and every kind of matter, from the most detailed to the most general can be, and is, so raised.

In any form of democratic government I believe

it to be vital to preserve this procedure for calling public attention to matters of importance. Question time also provides an opportunity for Ministers to make statements upon important and urgent matters which could not otherwise be brought quickly before the House.

Question time should, therefore, be preserved, though some of the more detailed administrative matters now dealt with during that time could more appropriately be dealt with in the committees.

Other matters which must now be raised by question in the House of Commons because there is no other way by which they can be dealt with, and which cannot really appropriately be disposed of by question and answer, could far more usefully and effectively form the subject of discussion in the committees.

For this purpose, a portion of the time of each committee should be set aside for an informal interrogation of the Minister upon matters of which he had been given notice.

Still further work which would fall upon these committees is dealt with hereafter.

#### LEGISLATION BY BILL AND ORDER IN COUNCIL.

We next come to

- (c) The passage of legislation, and
- (d) Approval or rejection of Orders in Council.

These two matters can be dealt with together, as the line of demarcation between them is in practice a very narrow one. Many matters that are dealt with by Orders in Council might equally well be dealt with by Bills and vice versa.

The development of legislation by Order in Council has been comparatively rapid. In the first instance the procedure of confirmatory Bills was used, that is to say a Bill was passed by the House of Commons confirming a number of Orders made by a Minister on allied topics. This was a clumsy and time-wasting procedure which has now been superseded.

As administrative departments develop in complexity more and more matters fall to be dealt with by Order in Council which in early days would have been dealt with in a Bill if dealt with at all.

The present system is for Parliament to lay down in broad terms the limits of the powers it delegates to Ministers or outside bodies and then to provide that the Orders in Council made by the Minister or other body should be submitted through the Minister to the House of Commons, either requiring a positive confirmatory resolution by the House giving approval to their continuance in operation, or a negative resolution which brings their operation to an end if it is passed.

This procedure has a great many serious drawbacks. It makes any amendment of the Orders by the House impossible, since they must either be approved or disapproved as a whole. In the case of many long and detailed Orders in Council such as those under the various Agricultural Marketing Acts this system is farcical. It may well be that as measures implementing the provisions of the Act of Parliament they are generally approved, and yet they may contain a number of important details which are most strenuously objected to. Protests can be made and hours of speeches can be recorded in Hansard, but

these can have no effect whatever since the House can do nothing to remedy the defects.

The farcical nature of this procedure was well demonstrated recently when a small verbal misprint was discovered by the Opposition which made nonsense of that part of the Order. Nothing could be done to correct it though the entire House, including the Minister in charge, urgently desired its correction. Eventually it had to be withdrawn after a great waste of time and a new Order substituted for it ! To such futility can procedure reduce democracy !

Owing to the constant strain on parliamentary time under our present circumstances it is seldom possible to have any debate upon resolutions approving Orders in Council until the small hours of the morning. Negative resolutions are practically never tabled because their futility is recognised. Debates, if they ever take place at all, are often perfunctory and can seldom be anything but a protest against some part of the Order which cannot be altered.

The fact is that once an Order in Council has been brought into operation and laid before Parliament by the Government it is, and must always be, passed. Parliamentary confirmation is nothing but the formal application of a rubber stamp of approval upon a decision taken and legislation brought into operation without any opportunity of first consulting Parliament.

#### FUNCTION OF COMMITTEES IN CONTROLLING LEGISLATION.

Instead of this quite useless pretence of parliamentary control these Orders should be dealt with by the appropriate committee to whom they would be referred in draft before they came into operation.

With the committees in continual session there could be no reason of urgency—at least in normal times—which would demand the operation of the Orders before their submission to the committee. If for any commercial or financial reason it was necessary to make their operation coincide with the publication of the fact of their proposal then they could be dated, after approval, as of the date when they were first brought before the committee.

The committee would have full power to amend the Orders and, given a sensible Minister, he would not be the least averse to adopting genuine suggestions for improvement put forward in the committee.

Indeed, a Minister who did not desire to be entirely run by his department might welcome such an opportunity of convincing his advisers that they were neither all-wise nor always right.

Once the Orders had been approved by the committee, they would come into operation, unless the majority of the committee decided that there was something so novel or important in them that they should be referred to the whole House for consideration, under the procedure already outlined.

Thereafter there should be no possibility of challenging the Orders on the ground that they were outside the power of the Minister or committee.

This question of *ultra vires* should be considered carefully by the committee when the draft is submitted, but once it had been decided by the committee—or the House, if referred by the committee—then it should be considered as finally settled.

The question whether or not an Order in Council is *ultra vires* depends upon whether its terms fall

within what was the "intention of Parliament" in delegating the power to legislate.

There could be no better body to decide this question than a committee of members, who have themselves taken part in the delegation or who are at least familiar with parliamentary intention, and who can, if necessary, refer to the debates which took place when the Act in question was passed.

At present this question of *ultra vires* falls for decision by the Courts, which cannot refer to the parliamentary debates, and which have no first or secondhand knowledge of what transpired when Parliament decided to delegate its powers.

So far as general legislation by Bill is concerned, the main principles of all the Bills proposed to be submitted to Parliament under the plan of legislation undertaken by the Government will be approved by the House of Commons, as we have already seen, during the passage of the Finance and Planning Bill.

This will remove the need for any further second-reading consideration of these principles. Bills will be introduced into the House of Commons in the usual way and the purely formal first reading will take place. The Bills will thereafter be at once allotted either to the appropriate committee dealing with the subject matter of the Bill, or else to a special committee set up for the purpose. This committee stage will be regarded as a truly formative process designed to give the Bill the best possible form to incorporate the principles laid down by the House in the appropriate section of the Finance and Planning Act. As at present no amendments are allowed which go outside the terms of the financial resolution,

so no amendments will be accepted by the chairman which go beyond the appropriate section of the Finance and Planning Act.

#### REPORT STAGE.

A final report stage in the House of Commons itself will permit the House to review the work of the committee and to correct any matter of principle upon which it has gone wrong, but it will not entail all the repetition which now so often takes place when both the committee and report stages are taken in the full House.

A very wide measure of discretion will have to be left to the Speaker to limit the report stage amendments to matters of principle or of major importance, as otherwise attempts might be made to delay the House by going over the work done by the committee with a consequent great waste of time. This procedure of selecting certain amendments only is already in force and should be continued.

The third reading could well be dispensed with as it performs no useful function at all, since it is very narrow in its ambit and can never have any effect on the bill.

If it becomes necessary to introduce Bills which have not been dealt with in the Finance and Planning Bill, then a resolution will have to be debated in the House upon which such a Bill can be introduced and sent to the appropriate committee. This will provide an adequate second reading debate upon the discussion of the resolution.

With an efficient system of committees controlling all delegated legislation in the manner stated above,

it will be unnecessary to fear this type of legislation as it is rightly feared and objected to to-day. When it is realised that a great part of the regulations which affect the lives of our citizens are now passed in the form of Orders in Council, and that Parliament only gives seventeen hours a year to their discussion, there appears to be every reason to object to the lack of control over such delegated legislation. The suggestions made above should give more time for control and should make the control of a more effective and more safely democratic type.

#### LAW REFORM.

There is only one other special type of legislation to be considered and that is law reform. This is an important matter so far as the rights of the subject are concerned and requires a great deal more attention than it is even now receiving, though it has in recent years been attended to much more thoroughly than formerly.

Law reform and consolidation is eminently a matter for specialists. They are best able to draft the necessary consolidating statutes and to devise the simplifying legislation which can get rid of the mass of out-of-date Acts which still cumber the Statute Book.

Such expert committees, not of Members of Parliament, should be organised to submit reports in the form of new Bills or consolidating Bills. These should then be brought before the House of Commons in much the same way consolidating Bills are now brought with a certificate as to how far, if at all, they include any alterations in the law. Such a procedure

minimises discussion and means that, as a rule, these Bills pass unchallenged through all their stages. There should, however, be a standing committee of the House responsible both for certifying such Bills and for setting up or instigating the setting up of appropriate committees to deal with all matters in which it considers consolidation or amendment desirable. If and when the long awaited Ministry of Justice is created the Minister would preside over this Law Reform Committee of the House.

#### PRIVATE BILL LEGISLATION.

##### *(e) Private Bill legislation.*

So long as this type of legislation is necessary for dealing with the powers of local authorities, the granting of monopoly rights to private interests, or cases where there is interference by the State with the rights of particular individuals, the present procedure could be continued. Though expensive to the parties and most difficult for opponents it wastes very little time of the House of Commons as a whole. The reform of this special procedure is therefore outside the ambit of our present considerations which relate to general and not to special legislation.

The ultimate solution will, of course, be to regulate the powers of local authorities entirely by public Acts of Parliament and to cease giving any legislative monopolies to private companies.

#### PRIVATE MEMBERS' BILLS AND RESOLUTIONS.

##### *(f) Resolutions proposed and Bills introduced by Private Members.*

Private members' time, which usually amounts to

two days (Wednesdays and Fridays) a week during the sittings of the House from November to March, is occupied partly (Wednesdays) with resolutions brought forward by private members and partly (Fridays) by Bills so introduced.

As these latter cannot create any charge upon State or local funds they are not in the existing circumstances of primary importance. It is nevertheless essential that the rights of private members to initiate legislation should be preserved.

The great disadvantage, however, from which Private Bills suffer is that they are generally open to a great deal of criticism on their draughtsmanship. This is sometimes so bad in form that the Bills can easily be defeated on second reading for this reason alone. Very few private members can obtain the highly skilled assistance which is necessary to make their drafting water-tight or even respectably competent.

Moreover, when a second reading has been given, there are very few Bills which survive the remaining stages, or for which the necessary parliamentary time can be found. Unless the Government can be prevailed upon to adopt the Bills or to give the time for their remaining stages they are destined to failure, with the resultant loss of all the parliamentary time spent on their earlier stages.

Two recent examples, however, show their utility. The Hire Purchase Act and the Access to Mountains Act were both the outcome of Private Members' Bills.

The present method is wasteful and often futile. The right way to deal with this matter is to adopt

procedure similar to that laid down above for Government Bills.

A certain number of days should be set aside, in the early part of the session, upon which private members can bring forward resolutions—somewhat in the form of financial resolutions—setting out very broadly the subject matter which that member thinks should be dealt with by legislation. If the House passes the resolution then all the further stages should be taken over by the Government. The Bill founded upon the resolution should be drafted by the parliamentary draftsmen in consultation with the private member and the appropriate Minister, and should then be introduced into the House and submitted direct, without any second reading, to the appropriate committee of the House. The remaining stage would be as in the case of a Government Bill.

The number of such resolutions permitted in a single session would be limited to some such number as five to ten, no further resolutions being permitted after five had been passed by the House, which would mean that a maximum of five Private Member's Bills could actually get on to the Statute Book each session.

Many of the resolutions such as are now dealt with on Wednesdays would no longer be necessary, since all the Private Members' Bills would actually be introduced by the Government, and could, therefore, provide for a financial charge being made upon the exchequer or upon local rates.

One of the main reasons why to-day it is necessary to have private members' resolutions as well as Bills is because, according to present procedure, no Private

Member's Bill can create a charge on public funds, whereas by resolution a private member can make the suggestion that new legislation should be introduced which does create such a charge.

Under the new method suggested, if a majority of the House approved of the resolution the Government would be compelled to introduce a Bill to deal with the subject matter dealt with in the resolution.

There should, however, be preserved a limited right for private members to bring matters before the House by way of resolutions leading to a general discussion of the topic brought forward.

We have now covered all the existing types of activity that affect the House of Commons except the last, and suggestions have been made which would result in a very great saving of the time of the House of Commons sitting as a whole, while the intensified committee work would enable a very much more constant and effective control over administration, delegated legislation, and the drafting stage of ordinary legislation.

The time of the whole House would be occupied with the second reading and all further stages of the Finance and Planning Bill, report stages of other Bills, matters reported for discussion by the whole House on the motion of the chairman of any of the committees, private members' resolutions, and the final item in our category of present activities, that is votes of censure.

#### VOTES OF CENSURE AND "MOTION FOR PAPERS".

Normally it is customary for the Opposition once

or twice in a session to move a vote of censure upon the Government in respect to some major matter of public importance such, for instance, as Foreign Affairs, or Unemployment. To such votes it is customary for the Government to allot the necessary parliamentary time.

By taking away from the House of Commons as a whole the consideration of votes of supply, except in special cases, and giving that work to the committees, some opportunities of general discussion on urgent matters will be lost.

The airing of general matters of complaint in the House of Commons by the Opposition or by groups of back benchers is a very vital and important matter. It means that the press and the wireless are bound to carry reports of such proceedings, and opportunities for such debates should therefore be increased and not curtailed.

A vote of censure is not always the most appropriate procedure, especially if it is desired to get the maximum expression of anti-Government feeling on a "non-party" basis.

It would, therefore, be necessary to introduce some such procedure as now exists in the House of Lords in the form of a "motion for papers". This motion allows any topic to be raised for general discussion without a censure on the Government. It would have to be made clear that any topic of administration, new legislation, or policy could be dealt with in such a debate provided the subject matter of the resolution was adhered to.

At present, although any member can put a resolution on the order paper about almost anything, such a resolution can never be discussed apart from

those for which a place is won on the ballot for private members' resolutions, already referred to. Those put on the paper by the official Opposition must, however, be given time by the custom of the House.

It would be desirable to make a provision in the standing orders that at least so many days a session should be given to votes of censure and motions for papers and that some part of these should be available for resolutions with a backing of say not less than 100 members, to be ballotted for, if necessary. This, in addition to the private members' resolutions already dealt with should provide adequate opportunity for their criticism of the Government.

It will be seen from the above proposals that the most important new factor of the whole scheme is the setting up of the committees of the House so as to develop a new technique of administrative and legislative control by the representatives of the people.

By means of such committees a whole variety of subjects will be able to be dealt with simultaneously by the House. There is no reason why ten or more such committees should not sit simultaneously while their sittings could continue all day, not as now in the mornings only, since the House itself would not require to sit each day with its more limited programme of work.

#### ECONOMY OF MEMBERS' TIME.

We can, in the light of what has already been suggested, make some estimate of how the time of members would be spent.

The average effective time spent by the House in debate (including divisions) on a full day is from

3.45 p.m. to 11.15 p.m. or  $7\frac{1}{2}$  hours; on Fridays it is from 11 a.m. to 4 p.m. or 5 hours. Late sittings are held from time to time when there is pressure of work but are undesirable except in very special circumstances. This will be even more the case if the committees are to sit in the mornings.

The first hour of each day's sitting from 2.45 p.m. to 3.45 p.m. is given to questions, which are only taken on Fridays in very exceptional cases.

We can assume that the Finance and Planning Bill and Budget resolutions together with the King's Speech, which would be unnecessary if, as it should be, the Finance and Planning Bill was taken at the beginning of the session, would occupy 5 days for the second reading and 20 days for the remaining stages; this would give over 185 hours debate, which should be ample for the most exacting democrat.

During this period there would be less work for the committees as the Bills could not be presented to them till the Finance and Planning Bill was passed.

Thereafter one day a week should be sufficient for the private members' resolutions for a maximum of 10 weeks, and a further day a week for votes of censure, motions for papers, report stages, etc.

Report stages would not be wanted till some time after the Bills had gone to committee, and by the time such Bills reached the House for report the private members' days would be exhausted and report stages could take their place.

If necessary the House could sit another half-day to deal with matters specially reported by committees in the way above explained.

This would mean that usually the House would sit

as a whole on two days a week with occasionally a third day or part of a day.

In order to deal with questions, the House could sit each day for an hour after luncheon, at say 2.15 p.m. to 3.15 p.m., during which all committees would stand adjourned.

The committees would then have at their disposal, in addition to the mornings each day in the week, three or at least two afternoons and evenings.

If we assume the morning sittings to be from 11 a.m. to 1 p.m., so as to allow members time to deal with their correspondence before the sittings commenced, and the afternoon sittings to be from 3.15 p.m. to 7.15 p.m., this would allow about 20 hours a week for each committee or, with 12 committees, a total of 240 hours a week.

During a good portion of this time the committees might be sitting in the form of a number of sub-committees, and in this way there should be no difficulty in getting through all the business required.

Indeed, it is probable that once the committee system got working they would none of them require to be in such constant session, except perhaps at particular times when the committee stages of the Bills were being taken.

#### **NEED FOR FLEXIBILITY.**

These figures and times are only to give some rough idea of how the programme of activities might plan out. It would obviously be necessary to retain the greatest flexibility so as to find out, by experience, how best the system could be worked,

We have now covered the whole range of the work

of the House of Commons, with the exception of the work of certain existing committees, such, for instance, as the Public Accounts Committee, which would continue to function as at present.

This reorganisation of procedure would, I believe, provide a reasonably efficient machine for democracy.

It should, however, remain as flexible as possible with a view to the introduction of all those improvements that would be discoverable in the course of its use.

Human ingenuity must be allowed to exercise its inventive power just as much upon this vital and critical feature of our social and industrial life as upon the thousand and one details with which it now concerns itself.

However wedded we may be to the traditions of democracy we must realise that those traditions are enshrined in its principles and ideals rather than in its outward forms.

It is the former that we desire to preserve and it is the latter that we must be willing to change in order to achieve that preservation.

I have so far dealt with the whole question as if the House of Commons were the sole sovereign body in the State, as it should be.

#### THE HOUSE OF LORDS.

The House of Lords remains as an anachronism in a democratic state and can have no justification, except as a house of grave seniors who can give their services in perfecting in form the legislation which may have been somewhat hurriedly dealt with by the House of Commons.

If the House of Lords was limited to such a function, and had no sovereign power, there would be little objection to its acting as a revising body, provided it was reconstituted, and it would then be appropriate to send all Bills to that revising body between the committee stage in the House of Commons committees and the report stage in the House itself, so that the Bills could be tidied up after they had been amended in committee, and before they were finally passed.

The House of Lords as now constituted is not, however, an appropriate body for such a purpose. What is required for revision of legislation is a committee of experts which will not concern itself with matters of policy but solely with questions of proper legal form and draughtsmanship.

It is quite impossible if we are to attain an efficient democracy to have two Houses sharing the sovereignty of the State.

The second House is either representative, in which case it is merely a duplication of the first, or else it is unrepresentative of the people as a whole in which event it has no place in a truly democratic Parliament.

I do not intend to enter at any length here into the rival merits of a single chamber and double chamber Parliament as that is not the object of this short work. It is sufficient for the present purposes to say that in my view there is and can be no justification for a second chamber unless it is purely revisory in character and, in particular, has no share in the sovereign power whatever.

#### AN OVERHAUL OF OUR DEMOCRATIC MACHINERY IS VITAL.

The changes outlined above may seem to some to

be too detailed and too unrelated to the fundamental question of the preservation of our democratic liberty to need immediate attention in such difficult times as the present.

This, I am convinced, is not only a false but a most dangerous view. As I have stated in the Foreword they certainly are not in themselves sufficient to get our democracy out of its troubles. They do, however, form one of the most essential bridges between our failing nineteenth century democracy and that future state of free and efficient government at which so many people of all political creeds are at present aiming.

To take an analogy—although I am aware that analogies are apt to be very misleading on occasions—no country could to-day attempt to compete in the world of transport if it insisted upon maintaining the mechanical forms of Stevenson's *Rocket* locomotive. The principles upon which that machine worked are identical with the principles used in the most up-to-date locomotive on the *Coronation Scot* and yet there has been a complete change of form in almost every detail. It is that change of form in all sorts and kinds of apparently minor matters that has made the *Coronation Scot* fit for its job and which renders it so infinitely superior in power and speed to the old *Rocket*.

The growth of totalitarianism, with the complete loss of liberties by the common people, has alarmed many liberal-minded persons and has unfortunately made them look askance at any suggestions for increasing the efficiency of our democratic machinery. In every change suggested they tend to see the hidden hand of dictatorship. As a result they convince

themselves that the rigid adherence to old democratic forms is the same thing as the preservation of democracy, when in fact it is precisely the opposite. It is this maintenance of forms which have become obsolete and dangerous, and which cannot give efficient service to the people in terms of either control or progress, that is to-day bringing democracy to the very verge of destruction by its own growing futility.

We can best demonstrate our sincere attachment to liberty and to liberal forms, not by looking backward and clinging to the old methods which may have sufficed in the past, but by looking forward to the needs of the future. We must first examine what is needed immediately to cope with the vastly complex circumstances of the present time, and then determine to carry into practice that which we decide to be necessary as a foundation for future democratic government, as to the needs of which we must keep our minds flexible and alert.

I believe that there is in Great Britain to-day a great fund of genuine desire to maintain and to increase the measure of democratic freedom which the common people enjoy. At the same time there is, I am certain, a lack of realisation of the urgency of the self-contained dangers that are threatening our democracy. A disintegration has set in, which will, unless steps are taken to arrest it, bring destruction to our liberties.

However good the principles we advocate, they can achieve nothing unless we devise the practical forms that will make them effective in our government.

The only alternative to a revision of our machinery

of government is the suppression of democracy by some form of totalitarianism, not because the people will wish to destroy democracy, but because they will be persuaded to believe that that democracy has been proved unworkable and incapable of providing them with the protection or the standards that they want.

#### THE ULTIMATE TEST OF GOVERNMENT.

The ultimate test of every form of government is the standard of life that it can provide for the people, and the level of that standard depends upon the degree of effectiveness with which the government can order the economic life of its country. Judged by such a test it seems almost certain that the fascist dictatorships will fail in the long run though they may at the moment seem to show an efficiency which in some directions is giving improved conditions to their people. Wage levels are, however, desperately low and no amount of patronage in the way of work-front activities or amenities can, in the long run, make up for the loss of standards which results from low wage levels and long hours. So far as British democracy is concerned, there are to-day strong indications which point towards the increasing failure of our system of government to produce the results which the people are entitled to expect from it.

In these circumstances it is for those who believe truly in democracy and liberty to combine together so to revise the form of their democratic machinery as to enable it to provide the people efficiently with their needs while at the same time preserving their liberty in those things that are essential.

If, then, there can be put into this machine the energy of the people's democratic will to liberty a workable and efficient form of government will result. To stress the unessential liberties, or to demand the continuance of privilege and license for a limited class in society in the circumstances of to-day is to invite the rapid destruction of our democracy.

A great satisfaction can often be derived from speaking in somewhat vague terms of great new principles and from picturing some utopia in glowing words. Principles and policies must, of course, be altered with changing times, and the working out of these is a matter of prime importance for the future, but the more humdrum task of keeping the mechanism of our democracy in a fit state to function is of the first importance if ever we are to be able to achieve, through democracy, new policies, or reach, by that road, the utopia of our visions.

#### A GREAT SERVICE TO DEMOCRACY AND AN URGENT TASK.

A great service can be performed for the common people of Great Britain, at this precise moment in their history, by providing them with a means of self-government by which they can save their liberty, and by convincing them at the same time that they themselves must take action, and rapid action, as democrats if they want—as they do—to preserve their freedom.

Civilisation is faced to-day with the necessity of devising forms of government which will weld into one composite whole, the efficiency of totalitarian control and planning in the economic field with the

cultural and political freedom that democracy alone can provide.

Our country is perhaps better able than any other to produce this synthesis and so give a new leadership to the world towards an era of prosperity and peace which at the moment seems strangely distant.

We are now witnessing the death pangs of an old civilisation and the suffering travail of a new being brought to birth. It is our duty and opportunity to assist this process by working to develop these new forces and new forms, and not to hinder and prevent their emergence by a rigid adherence to the traditions and methods of the past.

The new democracy that is to be born will have its full inheritance from the past, but must be fitted to the circumstances and conditions of the new world in which it is to flourish and grow strong.

I beg those who have persevered to this end to add their power and influence to the development of our new democracy which will mean for us and for the younger generation in particular a brighter and fairer prospect beyond the gloom and fears of the present time.

THE END

